

Case No. CI12-239

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)

Plaintiff,)

vs.)

COMPLAINT

TELEMETRIX INC., CONVEY)
 COMMUNICATIONS, INC., WILLIAM)
 W. BECKER, LARRY BECKER, GAYLE)
 BECKER, GARY BROWN, BECKER)
 CAPITAL MANAGEMENT, LLC.,)
 GREEN EAGLE COMMUNICATIONS,)
 INC., GREEN EAGLE NETWORKS, INC.,)
 JOHN AND JANE DOE(S) 1 THROUGH 15,)
 JOHN DOE CORPORATIONS 1)
 THROUGH 10)

Defendants.)

Plaintiff Michael J. Tracy hereby respectfully states as follows:

1. This is an action for *inter alia* fraudulent misrepresentation, civil conspiracy, preliminary and permanent injunction, declaratory judgment, breach of fiduciary responsibility, an accounting and corporate dissolution all in connection with actions taken by the Defendant(s).
2. Telemetrix, through the actions of its officers, directors and management personnel created fraudulent corporate documents including unsubstantiated debt instruments. Telemetrix, through the actions of its officers, directors and management personnel then made false and misleading filings under the Nebraska Uniform Commercial Code ("UCC"). A foreclosure by the Defendant(s) ultimately resulted in the unlawful transfer of property to one or more of the Defendant(s).
3. The Defendants participated individually and collectively in a series of fraudulent transactions designed to disguise the fact that those Defendant(s) had neither a security interest nor a perfected security interest in the assets being transferred. The Defendant(s) (a) created fraudulent documents and made fraudulent representations to the Nebraska Secretary of State;



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(b) filed fraudulent UCC documents with the Nebraska Secretary of State; (c) caused fraudulent transfers of property to one or more of the Defendant(s); (d) foreclosed on property in which the foreclosing party (also a Defendant) did not have a bonafide security interest or a bonafide Nebraska UCC filing.

4. The Defendant(s) are participants in this fraudulent scheme and conspiracy either as individuals or as officers and directors of the corporations involved.

5. Telemetrix, Inc. ("Telemetrix") through its officers, directors and management personnel owe a fiduciary responsibility to the Plaintiff as a shareholder. The Defendants have committed fraud on the Plaintiff and have breached their fiduciary responsibility to the Plaintiff through a series of insider contracts and agreements which were entered into by the Defendants acting on behalf of Telemetrix. The contracts and agreements were with companies and corporations who are wholly owned by the Defendants and other companies and corporations in which the Defendants maintain an ownership interest. These agreements have not been disclosed or reported to any shareholder other than the Defendant(s) holding shares in Telemetrix.

6. The Defendants have rendered Telemetrix insolvent.

INTRODUCTION

7. The Plaintiff holds 32,718,644 shares of the Defendant Telemetrix's stock which represents 18.03% of the total of 181,483,368 shares which have been issued and which are outstanding at the time of this complaint.

8. The Plaintiff has held the shares of stock for over five (5) years.

9. The Defendant is indebted to the Plaintiff in the amount of \$1,313.48

10. Telemetrix is a Delaware Corporation which is registered as a foreign corporation operating within the State of Nebraska and is a public company traded Over The Counter ("OTC") under the trading symbol TLXTQ.

11. Defendant corporation Convey Communications, Inc. ("Convey") is a Nebraska corporation and is a wholly owned subsidiary of Telemetrix. Convey holds licenses issued by the Federal Communications Commission ("FCC") authorizing the operation of wireless communications network services within the Nebraska counties of Scotts Bluff, Banner, Box Butte, Cheyenne, Dawes, Garden, Grant, Kimball, Morrill, Sheridan, and Sioux.

12. Convey owns or at times coincident to this complaint owned land and personal property located within the aforementioned Nebraska counties.

13. Defendant William Becker has been Chairman of the Board of Telemetrix from 1999 through the present date and presently holds the offices of President, Treasurer, Chief Operating Officer, Chief Executive Officer and Director. William W. Becker presently holds the offices of President, Vice President, Secretary, Treasurer and Director of Convey and has held those offices through all times coincident with this complaint. William W. Becker is the father of Larry Becker.

14. Defendant Larry Becker was a director and manager of Telemetrix and its subsidiaries from October 27, 2006 until December 16, 2008

15. Defendant Larry Becker, son of William W. Becker, has been the majority owner, President/Managing Partner of Becker Capital Management ("BCM") from its date of formation as a Colorado LLC on December 31, 1998 through the date of this complaint. BCM is not registered as a foreign corporation in the State of Nebraska. Larry Becker is managing partner and majority owner.

16. Larry Becker holds all corporate offices and is the sole director of Green Eagle Networks, Inc. ("GE Networks") and Green Eagle Communications, Inc. (GE Communications") ("collectively GE Entities"). GE Entities are Delaware corporations registered as foreign corporations operating within the State of Nebraska.

17. Defendant Gayle Becker, wife of Larry Becker, is the Secretary of BCM and holds an ownership interest in Defendant corporations GE Entities. Gayle Becker is the authorized signatory to documents filed by Telemetrix with the FCC.

18. Defendant Gary Brown is Secretary and Director of Telemetrix.

19. Defendants John and Jane Doe 1 through 15 are individuals which have had either direct or indirect involvement in the matters alleged in this complaint and when the true names are discovered they will be inserted in this complaint by amendment.

20. Defendant John Doe Corporations 1 through 10 are corporations which have had either direct or indirect involvement in the matters alleged in this complaint and when the true names are discovered they will be inserted in this complaint by amendment.

JURISDICTION AND VENUE

21. This Court has personal jurisdiction over the Defendant(s) pursuant to Neb. Rev. St. § 25-536 because these entities acting through their agents and as individuals transacted business in the State of Nebraska, contracted to supply services and things in the State of Nebraska, caused tortious injury by acts and omissions in the State of Nebraska, have an interest in, use, and possess real property in the State of Nebraska and have had contact with and maintained other relations to the State of Nebraska, sufficient to afford a basis for the exercise of personal jurisdiction consistent with the Constitution of the United States.

22. Telemetrix's wholly owned subsidiary Convey¹ is a Nebraska Corporation which owned and operated telecommunications equipment and owned land located in numerous counties in Nebraska.² The land and equipment are used as communication tower sites. Convey also holds FCC licenses which permit the company to provide wireless communications services in western Nebraska.

23. GE Communications is shown on the current records of the Scotts Bluff County Assessor as owner of record of real property in Scotts Bluff County, Nebraska.

FACTUAL BACKGROUND

24. On December 16, 2008, Telemetrix filed a Voluntary Petition in the United States Bankruptcy Court of the District of Colorado in Case 08-30077-ABC showing assets of \$1,046,434.00 and debts of \$13,826,554.75. The Petition in Bankruptcy shows BCM as a Creditor holding Secured Claims amounting to a total of \$3,481,086.26 of which \$701,732.76 are junior to the Colorado Business Bank. On March 11, 2009 on motion of Telemetrix the bankruptcy Court dismissed the bankruptcy.

25. The Defendant BCM through its Principal Larry Becker alleges to have loaned money to Telemetrix.

26. On July 2, 2009 Telemetrix filed a notification with the United States Securities and exchange Commission ("SEC") stating that on or about June 26, 2009, Telemetrix conveyed to GE Communications assets consisting primarily of Nokia Media Server Equipment and

¹ Formerly known as Tracy Corporation II

² See Introduction, Para. 11

communication base stations along with three patents and a billing system all owned by Telemetrix which together have a value of \$975,000.00. On the same day Telemetrix agreed to transfer to GE Networks, Inc. all of the FCC C & F Block communication licenses, all land, towers and antennas along with associated network agreements in exchange for the tender of approximately \$3,000,000 in outstanding debt alleged to have been owed to GE Entities by Telemetrix. These assets comprise essentially all of the assets of Telemetrix.

27. The transfer of assets from Telemetrix to the Green Eagle entities was allegedly to satisfy a foreclosure by Green Eagle entities in full satisfaction of debts of Telemetrix. Neither Green Eagle entity is shown on the December 16, 2008 bankruptcy filing as a creditor of Telemetrix.

28. The transfer of assets was purportedly pursuant to a "security agreement" between Telemetrix and BCM. The alleged "security agreement" has never been provided in any form to anyone including Telemetrix shareholders. This "security agreement" has not been filed with the SEC as required and was not disclosed in the Telemetrix bankruptcy filing, a fact which was not overlooked by the United States Trustee's attorney in its February 11, 2009 Objection To Motion For Relief From Stay filed by BCM :³

"Larry Becker, son of William Becker, has been involved in the Debtors, since at least 2005. He has also been the manager of daily operations which has included fund raising activities of Telemetrix, and a Director since 2005. He resigned from the Board of Directors sometime just prior to or shortly after the bankruptcy petition was filed. As of March 2008 his beneficial ownership is 11.8%."

"The Form 10-KSB filed with the United States Securities and Exchange Commission dated, March 7, 2008, did not report that any security interests had been granted to affiliates. In fact, it disclosed that a previously granted security interest in certain equipment held by Becker Capital Management and LB Becker Consulting had been assigned to a new lender."

"Certainly the motive and the intent of the Becker's and their affiliates should be questioned. The very same individuals have operated these entities, raised and spent a significant amount of capital, have continued to advance funds now seek to secure their position in the assets at the expense of the creditors and remove these assets from the bankruptcy estate."

"Again, at a minimum, the Becker affiliates should be required to at a minimum, provide some evidence that these are valid security interests."

³ Quoting from the February 11, 2009 United States Trustee's Objection

29. After the United States Trustee's February 11, 2009 objection, on Telemetrix moved to have the bankruptcy dismissed which was done on March 11, 2009 by the bankruptcy Court.

30. The Defendant BCM has never provided a copy of the security agreement(s) in question.

31. The following is a list of the filing dates of fraudulent UCC Financing Statements and amendments filed by BCM against one or more of the business entities Convey; Tracy Corporation II; Telemetrix:

ACTION:	DATE	DOCUMENT
1. Original Filing	08/04/2006 09:27 AM	9906464352-4
2. Amendment	11/21/2008 04:51 PM	9908576932-3
3. Amendment	03/13/2009 12:10 PM	9909589865-7
4. Amendment	03/17/2009 04:43 PM	9909590325-6
5. Lapse Record	08/05/2011 12:01 AM	0000000000 0
6. Original Filing	10/15/2008 11:50 AM	9908573356-8
7. Original Filing	12/22/2008 03:17 PM	9908580153-7
8. Original Filing	12/22/2008 03:17 PM	9908580158-7
9. Original Filing	12/22/2008 03:17 PM	9908580155-1
10. Original Filing	12/22/2008 03:17 PM	9908580159-9
11. Original Filing	12/22/2008 03:17 PM	9908580156-3

32. Neither Green Eagle Networks, Inc. nor Green Eagle Communications, Inc. is listed as a creditor on any Nebraska UCC filings.

33. The foreclosure by the GE Entities in June, 2009 is not supported by any UCC Financing Statement showing GE Entities as having a secured interest in any of the property on which it foreclosed. GE Entities foreclosed on assets described in the above filings captioned as 7, 8, 9, 10, and 11. The records of the Assessor of Scotts Bluff County show that the ownership of those assets was transferred from Tracy Corporation II to Green Eagle Communications on November 23, 2010.

34. GE Networks has an application pending before the FCC to transfer ownership of the FCC licenses held by Convey to GE Networks. The rules of the FCC do not permit an FCC licensee to encumber a license. It is a general business practice for a creditor to encumber the proceeds from the assignment or transfer of a FCC license and those proceeds then become the

collateral of a UCC Financing Statement, which is the collateral description on the above filings captioned 1, 2, 3, 4 and 5. UCC Filing captioned 6 is a blanket collateral description of all assets of Debtor.

35. The transfers which have occurred and the transfer which is pending with the FCC constitute a fraudulent transfer of assets to GE Entities, both of which are Becker family owned and controlled companies. These transfers occurred so that any creditor suing and obtaining judgment against Telemetrix and/or Convey will have no assets from which to collect judgment. Equally important, this fraudulent transfer strips essentially all the assets from a public corporation and renders the stock of the corporation worthless. The possibility of the company commencing future profitable operation is extinguished because the corporation no longer has assets which may be used to conduct its business.

36. Generally, the question of whether a fraudulent transfer has occurred is a question of fact. Telemetrix's transfer of substantially all of the assets held by Convey to GE Communications and Telemetrix's proposed assignment of Convey's FCC licenses to GE Networks fits the fraudulent transfer laws of Delaware and Nebraska to a tee. Telemetrix transferred assets, including the assets held by Convey valued at \$3.975 million, to the GE Entities in exchange for approximately the same amount of debt purportedly owed by Telemetrix to BCM, who claims to have transferred ownership of an alleged but undocumented liability to the GE Entities. This transaction removed almost \$4 million from Telemetrix's books, a fact which was not disclosed in the Form 8 Telemetrix filed with the SEC on July 2, 2009. GE Entities are owned by shareholders who are relatives or affiliates of the Becker family, making the transaction a transfer to an insider for an antecedent debt. Telemetrix was insolvent at the time of the transfer, an absolute fact based on Telemetrix's bankruptcy petition and the fact that its financial position has not changed since it voluntarily dismissed its bankruptcy petition. The Becker family controlled the operation, books and records of Telemetrix and not only had reasonable cause to believe, but absolutely knew, that Telemetrix was insolvent. None of the parties to this series of transactions has provided any documentation for Telemetrix shareholders.

FIRST CLAIM FOR RELIEF

Fraudulent Misrepresentation

(Against William Becker, Larry Becker, Gayle Becker, Gary Brown, Green Eagle Communications, Inc., Green Eagle Networks, Inc., John and Jane Doe(s) 1 through 15 John Doe Corporations 1 through 10)

37. Michael Tracy repeats and realleges Paragraphs 1 through 36 as though fully set forth herein.

38. Larry Becker, acting on behalf of BCM claimed to have a security interest in property owned by Convey. As a representative of BCM Larry Becker made Nebraska UCC filings in which he represented a secured interest but does not have an underlying security agreement which is in violation of Nebraska UCC §9-509 and Nebraska UCC §9-625.

39. The Plaintiff petitions the Court to order GE Entities to return all fraudulently transferred assets to the previous owner of record (Telemetrix and/or Convey).

40. The Plaintiff petitions the Court to order GE Networks to dismiss all applications pending before the FCC which seek authority to transfer licenses from Convey to GE Networks.

41. The Plaintiff petitions the Court to order issuance of a Preliminary Injunction against the Defendant(s) barring completion of any future transaction which would transfer any assets of Telemetrix and/or Convey to any companies or affiliate companies in which any of the Defendant(s) hold an ownership interest.

42. The Plaintiff petitions the Court to permanently enjoin the Defendants from transferring any assets from Telemetrix for any reason and on any basis pending an investigation of allegations of fraud against the Defendants.

43. The Plaintiff petitions the Court to find that the Defendant(s) do not and have never held a valid secured interest in any of the assets of Telemetrix and/or Convey.

44. The Plaintiff petitions the Court to find that transfers of property from Convey to GE Entities were done in violation of applicable Nebraska Uniform Commercial Codes.

SECOND CLAIM FOR RELIEF

Civil Conspiracy – Fraud

(Against William Becker, Larry Becker, Gayle Becker, Gary Brown, Green Eagle Communications, Inc., Green Eagle Networks, Inc., John and Jane Doe(s) 1 through 15 John Doe Corporations 1 through 10)

45. Michael Tracy repeats and realleges Paragraphs 1 through 44 as though fully set forth herein.

46. The Defendant(s) entered into agreements and acted in concert as members of a conspiracy, as a confederation or combination, to commit fraud with the purpose and intent of unlawfully transferring ownership of real and intellectual property, licenses, permits, contracts and agreements and all of the Defendants have taken unlawful acts in furtherance of a conspiracy.

47. The Defendant(s) acted in concert as members of a conspiracy, as a confederation or combination, to commit fraud through a series of insider contracts and agreements which were formed and entered into by Telemetrix with companies and corporations that are wholly owned by the Defendants and including other companies and corporations in which the Defendants maintain an ownership interest.

48. The Plaintiff petitions this Court for a finding of fraud against William W. Becker, Gary Brown, Larry Becker and Gayle Becker.

49. The Plaintiff petitions this Court for a finding that William W. Becker as President, Director, Chief Executive Officer, Chief Operating Officer and Treasurer of Telemetrix; Gary Brown as Secretary and Director of Telemetrix; Larry Becker as a Director and manager of Telemetrix and Gayle Becker as assistant manager of Telemetrix acted in a manner that is illegal, oppressive and fraudulent.

50. The Plaintiff petitions this Court for a finding that through the individual and collective actions of William W. Becker, Gary Brown, Larry Becker and Gayle Becker the corporate assets of Telemetrix were misapplied, squandered and wasted which has rendered Telemetrix insolvent.

THIRD CLAIM FOR RELIEF

Breach Of Fiduciary Duty

(Against William W. Becker, Larry Becker, Gayle Becker, Gary Brown)

51. Michael Tracy repeats and realleges Paragraphs 1 through 50 as though fully set forth herein.

52. At all times during which the fraudulent UCC filings were made, amended or renewed, and during which time the acts of fraud and civil conspiracy were committed, William W. Becker was President, Director, Chief Executive Officer, Chief Operating Officer and Treasurer

of Telemetrix; Gary Brown was Secretary and Director of Telemetrix, Larry Becker was a Director and manager of Telemetrix and Gayle Becker was assistant manager of Telemetrix.

53. William W. Becker, Gary Brown, Larry Becker and Gayle Becker had complete access to all of Telemetrix's business records and were thoroughly familiar with Telemetrix's operation, assets, liabilities, financial condition, prospects and strategic position. William W. Becker, Gary Brown, Larry Becker and Gayle Becker created or caused to be created false information with regard to financial obligations of Telemetrix.

54. Neither Larry Becker nor BCM has shown any evidence of a secured financing relationship with Telemetrix. The aforementioned officers, directors and management personnel engaged in and sanctioned a conspiracy which looted the corporation of its remaining assets for the benefit of themselves.

55. At all times relevant to this claim, a fiduciary relationship arose between William W. Becker, Gary Brown, Larry Becker and Gayle Becker and Telemetrix while all these Defendants acted on Telemetrix's behalf and exercised their discretion with respect to Telemetrix's business operations which constituted a fiduciary responsibility to the Plaintiff.

56. The Plaintiff as a stockholder in Telemetrix, has standing and petitions the Court for a finding of a breach of fiduciary responsibility against William W. Becker, Gary Brown, Larry Becker and Gayle Becker, as individuals acting as officers, directors and management personnel of Telemetrix, for making fraudulent UCC filings, associated fraudulent representations, actions taken in filing and ultimately dismissing a bankruptcy filing all of which actions were made in association thereof and while acting in a conspiracy and in the commission of fraud.

FOURTH CLAIM FOR RELIEF

Action for Accounting

(Against William W. Becker, Larry Becker, Gayle Becker, Gary Brown, Telemetrix Inc., Convey Communications, Inc., Becker Capital Management, LLC, Green Eagle Communications, Inc., Green Eagle Networks, Inc., John and Jane Doe(s) 1 through 15 John Doe Corporations 1 through 10)

57. Michael Tracy repeats and realleges Paragraphs 1 through 56 as though fully set forth herein.

58. BCM allegedly loaned money to Telemetrix. During and at the time of making the alleged loan, Larry Becker was a director, manager and in charge of day to day operations of Telemetrix. Income to the corporation was diverted for the pecuniary interests of the

Defendant(s) and ultimately the Defendant(s) were emboldened to commit outright transfers of assets from Telemetrix to corporations owned and controlled by those Defendant(s).

59. William W. Becker, Gary Brown, Larry Becker and Gayle Becker, as officers, directors and management personnel of Telemetrix created, filed and made unsupported claims for salaries, loans, interest, rent and expenses.

60. William W. Becker, Gary Brown, Larry Becker and Gayle Becker, as officers, directors and management personnel of Telemetrix approved the pledge of assets held or owned by Telemetrix as collateral for non-corporate loans obtained from the Colorado Business Bank and allowed the Colorado Business Bank to encumber Telemetrix assets. Telemetrix neither received nor been advanced funds from the Colorado Business Bank.

61. The Plaintiff as a shareholder is entitled to a complete accounting which includes a showing of the proceeds of all loans made to Telemetrix, including all loans purportedly made by the Defendant(s), setting forth the purpose for which such loans were made and identifying the titleholder to any capital assets purchased by such loans. Further, The Plaintiff is entitled to see all documents which substantiate any secured claim in any of the assets of Telemetrix by any party.

62. The Plaintiff petitions the Court to order immediate production of all corporate records.

FIFTH CLAIM FOR RELIEF

Dissolution of Corporation

(Against Telemetrix Inc., and Convey Communications, Inc.)

63. Michael Tracy repeats and realleges Paragraphs 1 through 62 as though fully set forth herein.

64. The officers and directors of Telemetrix, Inc. have been in control of the corporation and have acted, are acting and will continue to act in a manner that is illegal, oppressive or fraudulent.

65. Telemetrix no longer holds itself out as an operating corporation. Mail delivery through the United States Postal Service to the corporate office of record address which is 6650 Gunpark Drive, Boulder, CO 80301 is returned as "ATTEMPTED - NOT KNOWN UNABLE TO FORWARD"

66. Mail service and service of process is refused by the Delaware Registered Agent for Service of Process for Telemetrix which is: Agents and Corporations, Inc., 1201 Orange Street, Suite 600, One Commerce Center, Wilmington, DE 19801.

67. Telemetrix is insolvent as shown through documents filed in voluntary bankruptcy before United States Bankruptcy Court of the District of Colorado in Case 08-30077-ABC.

68. Telemetrix re-declared its insolvency in documents filed with the Colorado District Court on November 7, 2011.⁴

69. The corporate assets have been and continue to be misapplied, squandered or wasted.

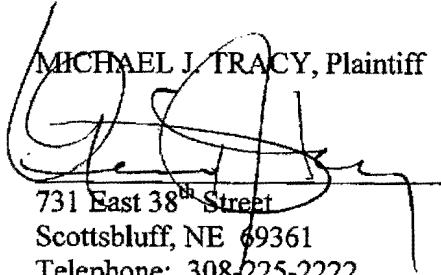
70. The Plaintiff petitions the Court for Dissolution of Telemetrix and Convey; for the appointment of a receiver to manage the affairs of the corporations through dissolution and to distribute the assets of the corporation to the shareholders.

WHEREFORE, Michael Tracy respectfully requests that the Court enter judgment as petitioned herein against the Defendant(s) and in addition to the foregoing, award the following relief:

1. Costs and attorneys' fees as allowed by contract or law; and
2. Such other relief as the Court deems just and proper.

Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff


731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

⁴ Colorado District Court Case No. 2011CV405

Case No. CI12-232

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)
)
Plaintiff,)
)
vs.)
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TELEMETRIX INC., CONVEY)
COMMUNICATIONS, INC., WILLIAM)
W. BECKER, LARRY BECKER, GAYLE)
BECKER, GARY BROWN, BECKER)
CAPITAL MANAGEMENT, LLC.,)
GREEN EAGLE COMMUNICATIONS,)
INC., GREEN EAGLE NETWORKS, INC.,)
JOHN AND JANE DOE(S) 1 THROUGH 15,)
JOHN DOE CORPORATIONS 1)
THROUGH 10)
)
Defendants.)

PRAECIPE

TO THE CLERK OF SAID COURT:

Please issue Summons in the above-captioned matter, together with a copy of the Complaint for delivery on the Defendants and deliver the same to Michael Tracy for service on Telemetrix Inc. by United States Certified Mail, return receipt requested, RESTRICTED DELIVERY, postage prepaid, at the following address:

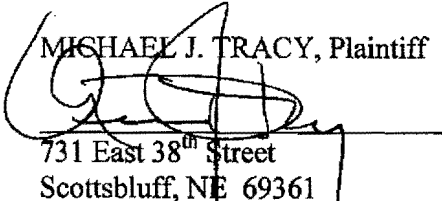
William W. Becker, President
Telemetrix Inc.
c/o Richard Douglas
105 East 16th Street
P.O. Box 419
Scottsbluff, NE
69363



000146657D21

Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff


731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

FILED March 20 12


Ann Rosendy

CLERK OF THE DIST COURT

Image ID:
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SUMMONS

Doc. No. 45069

IN THE DISTRICT COURT OF Scotts Bluff COUNTY, NEBRASKA
Scotts Bluff County Courthouse
P.O. Box 47
Gering NE 69341 0047

Michael J Tracy v. Telemetrix Inc

Case ID: CI 12 239

TO: Telemetrix Inc

FILED BY
Clerk of the Scotts Bluff District Court
03/30/2012

You have been sued by the following plaintiff(s):

Michael J Tracy

Plaintiff: Michael J Tracy
Address: 731 East 38th Street
Scottsbluff, NE 69361

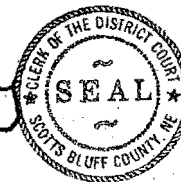
Telephone: (000) 000-0000

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: MARCH 30, 2012

BY THE COURT:

Ann Rosenberry
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Telemetrix Inc
% Richard Douglas
105 East 16th Street, PO Box 419
Scottsbluff, NE 69363

Method of service: Certified Mail
Special Instructions:
Included: Summons and Complaint

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

Case No. CI12-239

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

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Defendants.)

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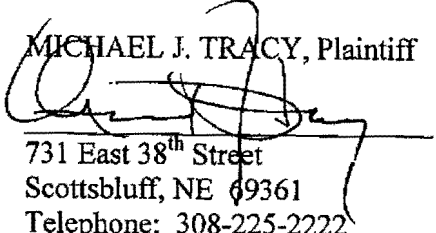
William W. Becker, President
Convey Communications, Inc.
c/o Richard Douglas
105 East 16th Street
P.O. Box 419
Scottsbluff, NE
69363

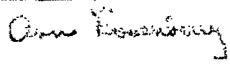


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Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff


731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

FILED March 30 20 12

CLERK OF THE DIST COURT

Case No. CI12-238

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c/o Richard Douglas
105 East 16th Street
P.O. Box 419
Scottsbluff, NE
69363



000146660D21

Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff

731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

FILED March 30, 2012

Anna F. [Signature]
CLERK OF THE DIST. COURT

Image ID:
D00045071D21

SUMMONS

Doc. No. 45071

IN THE DISTRICT COURT OF Scotts Bluff COUNTY, NEBRASKA
Scotts Bluff County Courthouse
P.O. Box 47
Gering NE 69341 0047

Michael J Tracy v. Telemetrix Inc

Case ID: CI 12 239

TO: Convey Communciations, Inc

FILED BY
Clerk of the Scotts Bluff District Court
03/30/2012

You have been sued by the following plaintiff(s):

Michael J Tracy

Plaintiff: Michael J Tracy
Address: 731 East 38th Street
Scottsbluff, NE 69361

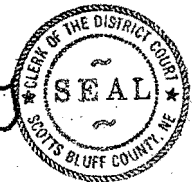
Telephone: (000) 000-0000

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BY THE COURT:

Ann Rosenberry
Clerk



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Scottsbluff, NE 69363

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Special Instructions:
Included: Summons and Complaint

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

Case No. CI12-239

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

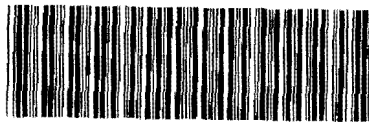
MICHAEL J. TRACY, an individual,)
)
Plaintiff,)
)
vs.)
)
TELEMETRIX INC., CONVEY)
COMMUNICATIONS, INC., WILLIAM)
W. BECKER, LARRY BECKER, GAYLE)
BECKER, GARY BROWN, BECKER)
CAPITAL MANAGEMENT, LLC.,)
GREEN EAGLE COMMUNICATIONS,)
INC., GREEN EAGLE NETWORKS, INC.,)
JOHN AND JANE DOE(S) 1 THROUGH 15,)
JOHN DOE CORPORATIONS 1)
THROUGH 10)
)
Defendants.)

PRAECIPE

TO THE CLERK OF SAID COURT:

Please issue Summons in the above-captioned matter, together with a copy of the Complaint for delivery on the Defendants and deliver the same to Michael Tracy for service on Telemetrix Inc. by United States Certified Mail, return receipt requested, RESTRICTED DELIVERY, postage prepaid, at the following address:

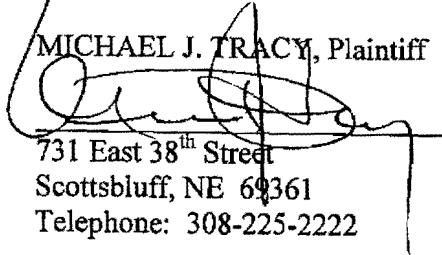
William W. Becker
Park Lane
West Bay Road
Georgetown
Grand Cayman Islands



000146661D21

Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff


731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

FILED March 30, 2012
Clerk's Office
CLERK OF DISTRICT COURT

Image ID:
D00045072D21

SUMMONS

Doc. No. 45072

IN THE DISTRICT COURT OF Scotts Bluff COUNTY, NEBRASKA
Scotts Bluff County Courthouse
P.O. Box 47
Gering NE 69341 0047

Michael J Tracy v. Telemetrix Inc

Case ID: CI 12 239

TO: William W Becker

FILED BY
Clerk of the Scotts Bluff District Court
03/30/2012

You have been sued by the following plaintiff(s):

Michael J Tracy

Plaintiff: Michael J Tracy
Address: 731 East 38th Street
Scottsbluff, NE 69361

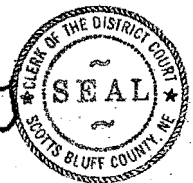
Telephone: (000) 000-0000

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: MARCH 30, 2012

BY THE COURT:

Ann Rosenberry
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

William W Becker
Park Lane
West Bay Road

Method of service: Certified Mail
Special Instructions:
Included: Summons and Complaint

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

Case No. CI12-238

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC., WILLIAM
W. BECKER, LARRY BECKER, GAYLE
BECKER, GARY BROWN, BECKER
CAPITAL MANAGEMENT, LLC.,
GREEN EAGLE COMMUNICATIONS,
INC., GREEN EAGLE NETWORKS, INC.,
JOHN AND JANE DOE(S) 1 THROUGH 15,
JOHN DOE CORPORATIONS 1
THROUGH 10

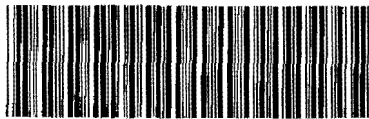
Defendants.

PRAECIPE

TO THE CLERK OF SAID COURT:

Please issue Summons in the above-captioned matter, together with a copy of the Complaint for delivery on the Defendants and deliver the same to Michael Tracy for service on Telemetrix Inc. by United States Certified Mail, return receipt requested, RESTRICTED DELIVERY, postage prepaid, at the following address:

Larry Becker
6828 Cheney Court
Niwot, CO
80503



000146662D21

Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff

731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

FILED May 13 2012
Clerk of the District Court
District of Nebraska

Image ID:
D00045073D21

SUMMONS

Doc. No. 45073

IN THE DISTRICT COURT OF Scotts Bluff COUNTY, NEBRASKA
Scotts Bluff County Courthouse
P.O. Box 47
Gering NE 69341 0047

Michael J Tracy v. Telemetrix Inc

Case ID: CI 12 239

TO: Larry Becker

FILED BY
Clerk of the Scotts Bluff District Court
03/30/2012

You have been sued by the following plaintiff(s):

Michael J Tracy

Plaintiff: Michael J Tracy
Address: 731 East 38th Street
Scottsbluff, NE 69361

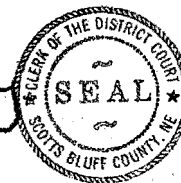
Telephone: (000) 000-0000

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: MARCH 30, 2012

BY THE COURT:

Ann Rosenberry
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Larry Becker
6828 Cheney Court
Niwoot, CO 80503

Method of service: Certified Mail
Special Instructions:
Included: Summons and Complaint

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

Case No. CI12- 239

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

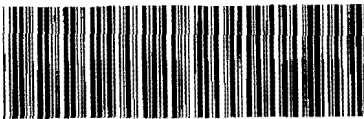
MICHAEL J. TRACY, an individual,)
)
Plaintiff,)
)
vs.)
)
TELEMETRIX INC., CONVEY)
COMMUNICATIONS, INC., WILLIAM)
W. BECKER, LARRY BECKER, GAYLE)
BECKER, GARY BROWN, BECKER)
CAPITAL MANAGEMENT, LLC.,)
GREEN EAGLE COMMUNICATIONS,)
INC., GREEN EAGLE NETWORKS, INC.,)
JOHN AND JANE DOE(S) 1 THROUGH 15,)
JOHN DOE CORPORATIONS 1)
THROUGH 10)
)
Defendants.)

PRAECIPE

TO THE CLERK OF SAID COURT:

Please issue Summons in the above-captioned matter, together with a copy of the Complaint for delivery on the Defendants and deliver the same to Michael Tracy for service on Telemetrix Inc. by United States Certified Mail, return receipt requested, RESTRICTED DELIVERY, postage prepaid, at the following address:


Gary Brown
211 Long Canyon Court
Richardson, TX
75080



000146724D21

Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff


731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

Filed 10/08/12
Clerk of District Court
Scottsbluff, Nebraska

Case No. CI12-239

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)
)
Plaintiff,)
)
vs.)
)
TELEMETRIX INC., CONVEY)
COMMUNICATIONS, INC., WILLIAM)
W. BECKER, LARRY BECKER, GAYLE)
BECKER, GARY BROWN, BECKER)
CAPITAL MANAGEMENT, LLC.,)
GREEN EAGLE COMMUNICATIONS,)
INC., GREEN EAGLE NETWORKS, INC.,)
JOHN AND JANE DOE(S) 1 THROUGH 15,)
JOHN DOE CORPORATIONS 1)
THROUGH 10)
)
Defendants.)

PRAECIPE

TO THE CLERK OF SAID COURT:

Please issue Summons in the above-captioned matter, together with a copy of the Complaint for delivery on the Defendants and deliver the same to Michael Tracy for service on Telemetrix Inc. by United States Certified Mail, return receipt requested, RESTRICTED DELIVERY, postage prepaid, at the following address:

Green Eagle Communications, Inc.
C T Corporation System
1024 K Street
Lincoln, NE
68508



000146725D21

Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff

731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

Handwritten signature
10/12/12
Clerk of District Court
Scottsbluff, Nebraska

Image ID:
D00045076D21

SUMMONS

Doc. No. 45076

IN THE DISTRICT COURT OF Scotts Bluff COUNTY, NEBRASKA
Scotts Bluff County Courthouse
P.O. Box 47
Gering NE 69341 0047

Michael J Tracy v. Telemetrix Inc

Case ID: CI 12 239

TO: Green Eagle Communications, Inc

FILED BY
Clerk of the Scotts Bluff District Court
03/30/2012

You have been sued by the following plaintiff(s):

Michael J Tracy

Plaintiff: Michael J Tracy
Address: 731 East 38th Street
Scottsbluff, NE 69361

Telephone: (000) 000-0000

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: MARCH 30, 2012

BY THE COURT:

Ann Rosenberry
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Green Eagle Communications, Inc
CT Corporations System
1024 K Street
Lincoln, NE 68508

Method of service: Certified Mail
Special Instructions:
Included: Summons and Complaint

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

Case No. CI12-237

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)
)
Plaintiff,)
)
vs.)
)
TELEMETRIX INC., CONVEY)
COMMUNICATIONS, INC., WILLIAM)
W. BECKER, LARRY BECKER, GAYLE)
BECKER, GARY BROWN, BECKER)
CAPITAL MANAGEMENT, LLC.,)
GREEN EAGLE COMMUNICATIONS,)
INC., GREEN EAGLE NETWORKS, INC.,)
JOHN AND JANE DOE(S) 1 THROUGH 15,)
JOHN DOE CORPORATIONS 1)
THROUGH 10)
)
Defendants.)

PRAECIPE

TO THE CLERK OF SAID COURT:

Please issue Summons in the above-captioned matter, together with a copy of the Complaint for delivery on the Defendants and deliver the same to Michael Tracy for service on Telemetrix Inc. by United States Certified Mail, return receipt requested, RESTRICTED DELIVERY, postage prepaid, at the following address:

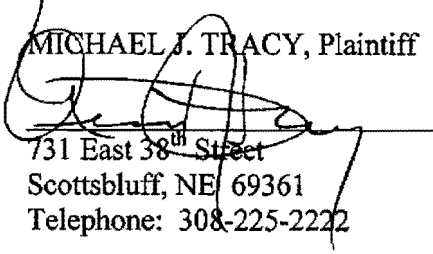
Green Eagle Networks, Inc.
C T Corporation System
1024 K Street
Lincoln, NE
68508



000146726D21

Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff


731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

March 30, 2012

Image ID:
D00045077D21

SUMMONS

Doc. No. 45077

IN THE DISTRICT COURT OF Scotts Bluff COUNTY, NEBRASKA
Scotts Bluff County Courthouse
P.O. Box 47
Gering NE 69341 0047

Michael J Tracy v. Telemetrix Inc

Case ID: CI 12 239

TO: Green Eagle Networks, Inc

FILED BY
Clerk of the Scotts Bluff District Court
03/30/2012

You have been sued by the following plaintiff(s):

Michael J Tracy

Plaintiff: Michael J Tracy
Address: 731 East 38th Street
Scottsbluff, NE 69361

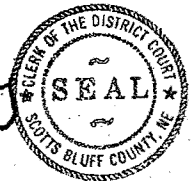
Telephone: (000) 000-0000

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: MARCH 30, 2012

BY THE COURT:

Ann Rosenberry
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Green Eagle Networks, Inc
CT Corporation System
1024 K Street
Lincoln, NE 68508

Method of service: Certified Mail
Special Instructions:
Included: Summons and Complaint

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

SERVICE RETURN

Doc. No.

SCOTT'S BLUFF DISTRICT COURT
 Scotts Bluff County Courthouse
 P.O. Box 47
 Gering NE 69341 0047

To:

Case ID: CT 12 239 Michael J Tracy v. Telemetrix Inc

Received this Summons on April 21 2012. I hereby certify that on
April 23 2012 at 10:23 o'clock AM I served copies of the Summons *+ Complaint*
 upon the party
Gayle Becker
 by personally handing the documents to the person identified to me as
Gayle Becker at 6650 Gunpark Drive, Ste 100,
Boulder, CO 80301.

as required by Nebraska state law

Service and return \$ _____

Copy _____

Mileage _____ miles

TOTAL \$ 45.00Date 4/23/12

BY

[Signature]
(Name of authorized person)

000147997D21

CERTIFIED MAIL PROOF OF SERVICE

Copies of the Summons were mailed by certified mail.

TO THE PARTY _____

At the following address _____

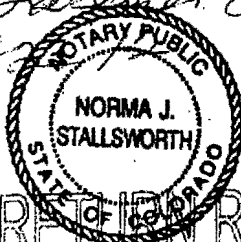
on the _____ day of _____ as required by Nebraska state law

Postage \$ _____ Attorney for: _____

The return receipt for mailing to the party was signed on _____

Gayle
 v. ~~Becker~~
 6078 Cloney Court
 KILGORE, CO 80501

Norma J. Stallsworth
4/23/12



From: Michael J Tracy
 711 East 38th Street
 Scottsbluff, NE 69361

Returned +
 FILED Apr 30 20 12
Ann Rosenberg
 CLERK OF THE DIST COURT

ATTACH RETURN RECEIPT & RETURN TO COURT

SERVICE RETURN

Doc. No. 45075

SCOTTS BLUFF DISTRICT COURT
 Scotts Bluff County Courthouse
 P.O. Box 47
 Gering NE 69341.0047

To:

Case ID: CI 12 239 Michael J Tracy v. Telemetrix Inc

Received this Summons on March 30, 2012. I hereby certify that on

_____ at _____
 upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles

TOTAL \$ _____

Date: _____

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

RICHARDSON TX 75080

OFFICIAL USE

Postage	\$	\$1.30
Certified Fee		\$2.95
Return Receipt Fee (Endorsement Required)		\$2.35
Restricted Delivery Fee (Endorsement Required)		\$4.55
Total Postage & Fees	\$	\$11.15

0449

12

Postmark
Here

03/30/2012

Gary Brown
 211 Long Canyon Court
 Richardson, TX
 75080

(Sheriff or authorized person)

**CERTIFIED MAIL
 PROOF OF SERVICE**

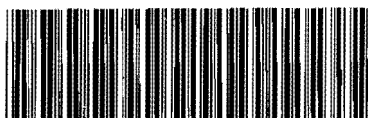
Copies of the Summons were mailed by certified mail,

TO THE PARTY: Gary BrownAt the following address: 211 Long Canyon CourtRichardson, Tx75080on the 30 day of March 2012, as required by Nebraska state law.Michael J. TracyPostage \$ 11.15 Attorney for: _____The return receipt for mailing to the party was signed on April 9, 2012

To: Gary Brown
 211 Long Canyon Court
 Richardson, TX 75080

From: Michael J Tracy
 731 East 38th Street
 Scottsbluff, NE 69361

Returned +
Apr 30, 2012
Ann Rosenberg
 CLERK OF THE DIST COURT



000147998D21

TURN RECEIPT & RETURN TO COURT

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gary Brown
211 Long Canyon Court
Richardson, TX
75080

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Gary R Brown

☐ Agent

☐ Addressee

B. Received by (Printed Name)

GARY R BROWN

C. Date of Delivery

4/9/12

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☒ Yes

2. Article Number

(Transfer from service label)

7011 1570 0000 2336 5915

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-M-1540

SERVICE RETURN

Doc. No. 45076

SCOTTS BLUFF DISTRICT COURT
 Scotts Bluff County Courthouse
 P.O. Box 47
 Gering NE 69341 0047

To:

Case ID: CI 12 239 Michael J Tracy v. Telemetrix Inc

Received this Summons on March 30 2012 I hereby certify that on

_____ at _____ o'clock _____ M. I served copies of the Summons
 upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles

TOTAL \$ _____

Date: _____

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.**OFFICIAL USE**

Postage	\$ 1.30	0449
Certified Fee	\$2.95	12
Return Receipt Fee (Endorsement Required)	\$2.35	Postmark Here
Restricted Delivery Fee (Endorsement Required)	455 40.00	
Total Postage & Fees	\$11.15 \$4.40	03/30/2012

Green Eagle Communications, Inc.

CT Corporation System

1024 K Street

Lincoln, NE

68508

PS

Instructions

**CERTIFIED MAIL
 PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail.

TO THE PARTY: Green Eagle Communications, IncAt the following address: CT Corporation System1024 K StreetLincoln, NE 68508on the 30 day of March 2012, as required by Nebraska state law.Michael J. TracyPostage \$ 11.15 Attorney for: _____The return receipt for mailing to the party was signed on April 2, 2012

To: Green Eagle Communications, Inc
 CT Corporations System
 1024 K Street
 Lincoln, NE 68508

From: Michael J Tracy
 731 East 38th Street
 Scottsbluff, NE 69361

FILED

Apr 30 2012

Ann Rosenberg
 CLERK OF THE DIST COURT



000147999D21

ATTN:

& RETURN TO COURT

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Green Eagle Communications, Inc.
 C T Corporation System
 1024 K Street
 Lincoln, NE
 68508

2. Article Number
(Transfer from service label)

7011 1570 0000 2336 5977

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Charlene Hank*☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

CADA LAW OFFICE 2 2012

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☒ Yes

SERVICE RETURN

Doc. No. 45077

SCOTTS BLUFF DISTRICT COURT
 Scotts Bluff County Courthouse
 P.O. Box 47
 Gering NE 69341 0047

To:

Case ID: CI 12 239 Michael J Tracy v. Telemetrix Inc

Received this Summons on March 30, 2012. I hereby certify that on_____ at _____
upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles

TOTAL \$ _____

Date: _____

BY _____
(Sheriff or authorized person)

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

LINCOLN NE 68508

OFFICIAL USE

Postage \$ 1.30

Certified Fee \$ 2.95

Return Receipt Fee (Endorsement Required) \$ 2.35

Restricted Delivery Fee (Endorsement Required) ~~4.55~~ 11.15Total Postage & Fees \$ ~~18.60~~ 11.15

Green Eagle Networks, Inc.

CT Corporation System

1024 K Street

Lincoln, NE

68508

0449

12


Postmark
Here

03/30/2012

or Instructions

**CERTIFIED MAIL
 PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail,

TO THE PARTY: Green Eagle Networks, IncAt the following address: CT Corporation System1024 K StreetLincoln, NE 68508on the 30 day of March, 2012, as required by Nebraska state law.Michael Tracy Postage \$ 11.15 Attorney for: _____The return receipt for mailing to the party was signed on April 2, 2012

To: Green Eagle Networks, Inc
 CT Corporation System
 1024 K Street
 Lincoln, NE 68508

From: Michael J Tracy
 731 East 38th Street
 Scottsbluff, NE 69361

Returned +

FILED Apr 30 2012Ann Rosenbury

CLERK OF THE DIST COURT



000147995D21

IRN RECEIPT & RETURN TO COURT

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature x <i>Charles Hawk</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Green Eagle Networks, Inc. C T Corporation System 1024 K Street Lincoln, NE 68508		B. Received by (Printed Name) CADA LAW OFFICE	
		C. Date of Delivery APR 02 2012	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7011 1570 0000 2336 5922	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

SERVICE RETURN

Doc. No. 48000

SCOTTS BLUFF DISTRICT COURT
 Scotts Bluff County Courthouse
 P.O. Box 47
 Gering NE 69341 0047

To:

Case ID: CI 12 239 Michael J Tracy v. Telemetrix Inc

Received this Summons on 4/21/12 I hereby certify that on

April 26, 2012 at 6:42 o'clock P.M. I served copies of the Summons *+ Complaint*
 upon the party: Larry Becker

by leaving the documents at the Defendant's usual place of abode with
Kyle Becker who is th Defendant's son and whose age is 18.

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles

TOTAL \$ 45.00Date: 4/26/12BY: [Signature]

(Sheriff or authorized person)

CERTIFIED MAIL
 PROOF OF SERVICE

Copies of the Summons were mailed by certified mail,

TO THE PARTY: _____

At the following address: _____

on the _____ day of _____, as required by Nebraska state law.

Postage \$ _____ Attorney for: _____

The return receipt for mailing to the party was signed on _____

To: Larry Becker
 6828 Cheney Court
 Newark, CO 80502

From: Michael J Tracy
 731 East 38th Street
 Scottsbluff, NE 69361

Returned &
 FILED May 1 20 12
Ann Rosenberg
 CLERK OF THE DIST COURT



000148007D21

TURN RECEIPT & RETURN TO COURT

SERVICE RETURN

Doc. No. 45068

SCOTTS BLUFF DISTRICT COURT
 Scotts Bluff County Courthouse
 P.O. Box 47
 Gering NE 69341 0047

To:

Case ID: CI 12 239 Michael J Tracy v. Telemetrix Inc

Received this Summons on March 30 2012. I hereby certify that on

_____ at _____ o'clock _____ M. I served copies of the Summons
 upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles

TOTAL \$ _____

Date: _____

B)

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

SCOTTS BLUFF, NE 69363

OFFICIAL USE

Postage	\$ 1.30	0449
Certified Fee	\$ 2.95	12
Return Receipt Fee (Endorsement Required)	\$ 2.35	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$ 4.55	
Total Postage & Fees	\$ 11.15	03/30/2012

Sent To William W. Becker, President
 Telemetrix Inc
 Street, Apt c/o Richard Douglas
 or PO Box 105 East 16th Street
 City, State P.O. Box 419
 PS Form Scottsbluff, NE 69363

**CERTIFIED MAIL
 PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail.

TO THE PARTY: William Becker, PresAt the following address: Telemetrix Inc% Richard Douglas105 East 16th St., P.O. Box 419, Scottsbluff, NEon the 30 day of March 2012, as required by Nebraska state law.Postage \$ 11.15

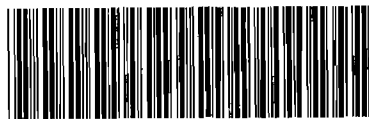
Attorney for: _____

The return receipt for mailing to the party was signed on April 5, 2012

To: Telemetrix Inc
 William Becker, President
 %Richard Douglas, PO Box 419
 Scottsbluff, NE 69363

From: Michael J Tracy
 731 East 38th Street
 Scottsbluff, NE 69361

Returned +
 FILED May 2 2012
Ann Rosenbury
 CLERK OF THE DIST COURT



000148011D21

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SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William W. Becker, President
Telemetrix Inc
c/o Richard Douglas
105 East 16th Street
P.O. Box 419
Scottsbluff, NE 69363

2. Article Number

(Transfer from service)

7011 1570 0000 2336 5953

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

C. Weis☐ Agent☐ Addressee

B. Received by (Printed Name)

Christi Weis

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☒ Yes

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70111570000023365953

SERVICE

First-Class Mail®

STATUS OF YOUR ITEM

Delivered

DATE & TIME

April 05, 2012, 1:51 pm

LOCATION

SCOTTSBUFF, NE 68361

FEATURES

Expected Delivery By:
March 31, 2012
Certified Mail™
Restricted Delivery
Return Receipt

Dispatched to Sort
Facility

March 30, 2012, 5:11 pm

SCOTTSBUFF, NE 68361

Acceptance

March 30, 2012, 3:12 pm

SCOTTSBUFF, NE 68361

Check on Another Item

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SERVICE RETURN

Doc. No. 45071

SCOTTS BLUFF DISTRICT COURT
 Scotts Bluff County Courthouse
 P.O. Box 47
 Gering NE 69341 0047

To:

Case ID: CI 12 239 Michael J Tracy v. Telemetrix Inc

Received this Summons on March 30, 2012. I hereby certify that on

_____ at _____ o'clock _____ M. I served copies of the Summons
 upon the party: _____

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles

TOTAL \$ _____

Date: _____

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Postage	\$ 11.30	0449
Certified Fee	\$ 2.95	42
Return Receipt Fee (Endorsement Required)	\$ 2.35	
Restricted Delivery Fee (Endorsement Required)	\$ 4.55	
Total Postage & Fees	\$ 11.15	03/30/2012

Sent Convey Communications, Inc.
 c/o Richard Douglas
 105 East 16th Street
 P.O. Box 419
 Scottsbluff, NE 69363

**CERTIFIED MAIL
 PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail,

TO THE PARTY: Convey Communications, IncAt the following address: c/o Richard Douglas105 East 16th St. P.O. Box 419Scottsbluff, NE 69361on the 30 day of March, 2012, as required by Nebraska state law.Michael TracyPostage \$ 11.15 Attorney for: _____The return receipt for mailing to the party was signed on April 5, 2012

To: Convey Communications, Inc
 % Richard Douglas
 105 East 16th Street, PO Box 419
 Scottsbluff, NE 69363

From: Michael J Tracy
 731 East 38th Street
 Scottsbluff, NE 69361

Returned +
 FILED May 2 20 12
Ann Rosenberry
 CLERK OF THE DIST COURT



000148009D21

TURN RECEIPT & RETURN TO COURT

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Convey Communications, Inc. c/o Richard Douglas 105 East 16th Street P.O. Box 419 Scottsbluff, NE 69363</p>		<p>B. Received by (Printed Name) Christi Wiers</p> <p>C. Date of Delivery</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7011 1570 0000 2336 5946</p>	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

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70111670000023365946

SERVICE

First-Class Mail®

STATUS OF YOUR ITEM

Delivered

DATE & TIME

April 05, 2012, 1:51 pm

LOCATION

SCOTTSLUFF, NE 69361

FEATURES

Expected Delivery By:
March 31, 2012
Certified Mail™
Restricted Delivery
Return Receipt

Dispatched to Sort
Facility

March 30, 2012, 5:11 pm

SCOTTSLUFF, NE 69361

Acceptance

March 30, 2012, 3:13 pm

SCOTTSLUFF, NE 69361

Check on Another Item

What's your label (or receipt) number?

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SERVICE RETURN

Doc. No. 45070

SCOTTS BLUFF DISTRICT COURT
 Scotts Bluff County Courthouse
 P.O. Box 47
 Gering NE 69341 0047

To:

Case ID: CI 12 239 Michael J Tracy v. Telemetrix Inc

Received this Summons on MARCH 30 2012. I hereby certify that on

_____ at _____ o'clock _____ M. I served copies of the Summons
 upon the party: _____

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles _____

TOTAL \$ _____

Date: _____

BY _____

(Sheriff or authorized person)

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SCOTT'S BLUFF, NE 69361

OFFICIAL USE

Postage	\$ 11.30	0449
Certified Fee	\$2.95	12
Return Receipt Fee (Endorsement Required)	\$2.35	
Restricted Delivery Fee (Endorsement Required)	\$4.55	
Total Postage & Fees	\$ 11.15	03/30/2012

Sent To William W. Becker, President
 Convey Communications, Inc.
 c/o Richard Douglas
 105 East 16th Street
 P.O. Box 419
 City, St. Scottsbluff, NE 69361

**CERTIFIED MAIL
 PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail.

TO THE PARTY: William Becker, PresidentAt the following address: Convey Communications, Inc% Richard Douglas105 East 16th St., P.O. Box 419, Scottsbluff, NE 69361on the 30 day of MARCH 2012, as required by Nebraska state law.Michael J. TracyPostage \$ 11.15 Attorney for: _____The return receipt for mailing to the party was signed on April 5, 2012

To: Convey Communications, Inc
 William Becker, President
 % Richard Douglas, PO Box 419
 Scottsbluff, NE 69363

From: Michael J Tracy
 731 East 38th Street
 Scottsbluff, NE 69361

Returned +
 FILED May 2 20 12
Ann Rosenberry
 CLERK OF THE DIST COURT



000148010D21

TURN RECEIPT & RETURN TO COURT

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>C. Weis</i> </p>	
<p>1. Article Addressed to:</p> <p>William W. Becker, President Convey Communications, Inc. c/o Richard Douglas 105 East 16th Street P.O. Box 419 Scottsbluff, NE 69361</p>		<p>B. Received by (Printed Name) <i>Christi Weis</i></p> <p>C. Date of Delivery</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7011 0110 0002 4968 5373</p>	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

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70110110000249085373

SERVICE

First-Class Mail®

STATUS OF YOUR ITEM

Delivered

DATE & TIME

April 05, 2012, 1:51 pm

LOCATION

SCOTTSDUFF, NE 69361

FEATURES

Expected Delivery By:
March 31, 2012
Certified Mail™
Restricted Delivery
Return Receipt

Dispatched to Sort
Facility

March 30, 2012, 5:11 pm

SCOTTSDUFF, NE 69361

Acceptance

March 30, 2012, 3:13 pm

SCOTTSDUFF, NE 69361

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SERVICE RETURN

Doc. No. 45069

SCOTTS BLUFF DISTRICT COURT
 Scotts Bluff County Courthouse
 P.O. Box 47
 Gering NE 69341 0047

To:

Case ID: CI 12 239 Michael J Tracy v. Telemetrix Inc

Received this Summons on March 30, 2012. I hereby certify that on

_____ at _____ o'clock _____ M. I served copies of the Summons
 upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles

TOTAL \$ _____

Date: _____

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Postage	\$ 1.30
Certified Fee	\$ 2.95
Return Receipt Fee (Endorsement Required)	\$ 2.35
Restricted Delivery Fee (Endorsement Required)	\$ 4.55
Total Postage & Fees	\$ 11.15

8449

12

Postmark
Here

03/30/2012

Sent
 Street or PO
 City: Telemetrix Inc.
 c/o Richard Douglas
 105 East 16th Street
 P.O. Box 419
 Scottsbluff, NE 69363

CERTIFIED MAIL
PROOF OF SERVICE

Copies of the Summons were mailed by certified mail.

TO THE PARTY: Telemetrix, Inc.At the following address: 40 Richard Douglas

105 EAST 16th ST., P.O. Box 419
Scottsbluff, NE 69361

on the 30 day of March, 2012, as required by Nebraska state law.Michael TracyPostage \$ 11.15

Attorney for: _____

The return receipt for mailing to the party was signed on April 5, 2012.

To: Telemetrix Inc
 % Richard Douglas
 105 East 16th Street, PO Box 419
 Scottsbluff, NE 69363

From: Michael J Tracy
 731 East 38th Street
 Scottsbluff, NE 69361

Returned &
 FILED May 2 2012
Ann Rosenberg
 CLERK OF THE DIST COURT



000148012D21

TURN RECEIPT & RETURN TO COURT

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Telemetrix Inc.
c/o Richard Douglas
105 East 16th Street
P.O. Box 419
Scottsbluff, NE 69363

2. Article Number

(Transfer from service label)

7011 1570 0000 2336 5939

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1040

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Chris Weis☐ Agent☐ Addressee

B. Received by (Printed Name)

Chris Weis

C. Date of Delivery

D. Is delivery address different from Item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☒ Yes

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
7011157000023365939	First-Class Mail®	Delivered	April 05, 2012, 1:51 pm	SCOTTSDLUFF, NE 69361	Expected Delivery By: March 31, 2012 Certified Mail™ Restricted Delivery Return Receipt
		Dispatched to Sort Facility	March 30, 2012, 5:11 pm	SCOTTSDLUFF, NE 69361	
		Acceptance	March 30, 2012, 3:11 pm	SCOTTSDLUFF, NE 69361	

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Case No. CI12-239

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)

Plaintiff)

vs.)

**ANSWER OF DEFENDANTS GREEN
EAGLE COMMUNICATIONS, INC. AND
GREEN EAGLE NETWORKS, INC.**TELEMETRIX INC., CONVEY)
COMMUNICATIONS, INC., WILLIAM)
W. BECKER, LARRY BECKER,)
GAYLE BECKER, GARY BROWN,)
BECKER CAPITAL MANAGEMENT,)
LLC, GREEN EAGLE)
COMMUNICATIONS, INC. GREEN)
EAGLE NETWORKS, INC., JOHN AND)
JANE DOE(S) 1 THROUGH 15, JOHN)
DOE CORPORATIONS 1 THOUGH 10)

Defendants.)

Defendants Green Eagle Communications, Inc. and Green Eagle Networks, Inc. (collectively, "Defendants"), through their counsel, Paul W. Snyder, Esq. of Smith, Snyder & Pettitt, hereby controvert all the allegations of Plaintiff's Complaint by filing this general denial pursuant to Neb. Ct. R. Pldg. § 6-1108. Defendants retained undersigned counsel on April 30, 2012 and will seek leave of Court to amend this Answer to respond specifically to the allegations of the Complaint and to assert defenses and counterclaims, as appropriate.

DATED: May 2, 2012

SMITH, SNYDER & PETITT

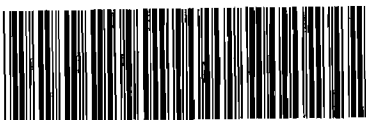
Paul W. Snyder, Esq. #13933
P.O. Box 1204
Scottsbluff, NE 69363
Phone: (308) 635-3161
Fax: (308) 632-3128
Email: pws@vanlaw.net

FILED May 2, 2012

Ann Rosenberg
CLERK OF THE DIST COURT

BY *Deirdre Carter* DEPUTY

*Attorneys For Defendants Green Eagle
Communications, Inc. and Green Eagle Networks,
Inc.*

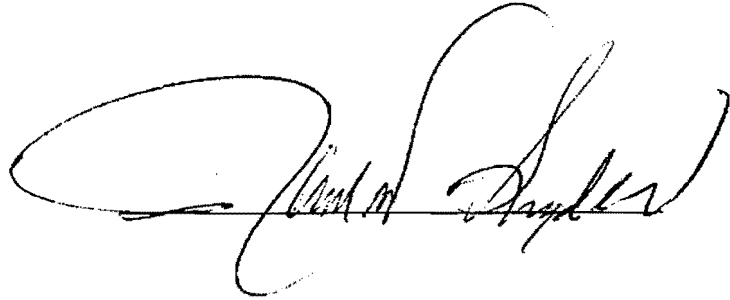


000148297D21

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2012, a true and correct copy of the foregoing **ANSWER OF DEFENDANTS GREEN EAGLE COMMUNICATIONS, INC. AND GREEN EAGLE NETWORKS, INC.** was placed in the United State mail, first class, postage prepaid, and properly addressed to the following persons:

Michael J. Tracy
731 East 38th Street
Scottsbluff, NE 69361

A handwritten signature in black ink, appearing to read "Michael J. Tracy", written over a horizontal line.

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	MOTION FOR EXTENSION
TELEMETRIX INC., CONVEY)	OF TIME TO ANSWER OR
COMMUNICATIONS, INC., WILLIAM)	OTHERWISE RESPOND
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND JANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

Comes now Defendants, Telemetrix Inc. ("Telemetrix"), Convey Communications, Inc. ("Convey"), and Gary Brown ("Brown") (collectively, "Defendants"), and pursuant to Neb.Rev.St. § 25-1148 and Neb.Ct.Rules of Pleading and Civil Cases § 6-1106(b) and requests an Order of the Court continuing the deadline for Defendants to answer or otherwise respond in this case. In support thereof, counsel for the Defendants state as follows:

1. This lawsuit involves multiple claims brought by a disgruntled shareholder against numerous entities and out-of-state individuals. Upon information and belief, Defendants Telemetrix and Convey were served by registered mail on April 2, 2012. Service was had upon the companies' registered agent, Mr. Dick Douglas. Also upon information and belief, Brown was served by registered mail approximately a week later.

2. Mr. Douglas passed away on April 12, 2012. As a result, Defendants have needed some additional time to arrange for counsel of their choosing.

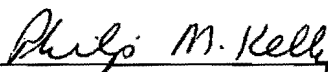
3. Defendants have now procured out-of-state counsel and local counsel in recent days. For a number of reasons, however, Defendants require an extension of time to answer or otherwise respond to Plaintiff's Complaint. Specifically: Defendants' counsel are looking into coverage issues for Defendants, or some of them; the legal and factual issues presented in Plaintiff's Complaint are somewhat complex and require additional time to research in order to

frame proper responsive pleadings; and Defendants' out-of-state counsel must complete *Pro Hac Vice* applications.

4. Defendants believe that an extension of time of thirty (30) days, through and including June 6, 2012, is sufficient to make substantial progress, or complete, those issues identified above. Defendants contend that good cause exists, as a result of the issues above, to grant an extension of time of thirty (30) days in which to answer or otherwise respond to Plaintiff's Complaint.

WHEREFORE, Defendants Telemetrix, Convey, and Brown pray for an order of the Court extending the deadline for pleading or answering for the reasons set forth herein.

TELEMETRIX INC. and CONVEY
COMMUNICATIONS, INC., Defendant



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 7th day of May, 2012, postage fully prepaid, addressed as follows:

Michael J. Tracy
731 East 38th Street
Scottsbluff NE 69361



PHILIP M. KELLY

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	MOTION FOR EXTENSION
TELEMETRIX INC., CONVEY)	OF TIME TO ANSWER OR
COMMUNICATIONS, INC., WILLIAM)	OTHERWISE RESPOND
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND JANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

Comes now Defendants, Telemetrix Inc. ("Telemetrix"), Convey Communications, Inc. ("Convey"), and Gary Brown ("Brown") (collectively, "Defendants"), and pursuant to Neb.Rev.St. § 25-1148 and Neb.Ct.Rules of Pleading and Civil Cases § 6-1106(b) and requests an Order of the Court continuing the deadline for Defendants to answer or otherwise respond in this case. In support thereof, counsel for the Defendants state as follows:

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2. Mr. Douglas passed away on April 12, 2012. As a result, Defendants have needed some additional time to arrange for counsel of their choosing.

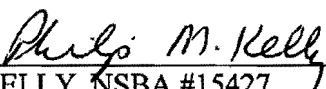
3. Defendants have now procured out-of-state counsel and local counsel in recent days. For a number of reasons, however, Defendants require an extension of time to answer or otherwise respond to Plaintiff's Complaint. Specifically: Defendants' counsel are looking into coverage issues for Defendants, or some of them; the legal and factual issues presented in Plaintiff's Complaint are somewhat complex and require additional time to research in order to

frame proper responsive pleadings; and Defendants' out-of-state counsel must complete *Pro Hac Vice* applications.

4. Defendants believe that an extension of time of thirty (30) days, through and including June 6, 2012, is sufficient to make substantial progress, or complete, those issues identified above. Defendants contend that good cause exists, as a result of the issues above, to grant an extension of time of thirty (30) days in which to answer or otherwise respond to Plaintiff's Complaint.

WHEREFORE, Defendants Telemetrix, Convey, and Brown pray for an order of the Court extending the deadline for pleading or answering for the reasons set forth herein.

TELEMETRIX INC. and CONVEY
COMMUNICATIONS, INC., Defendant



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 7th day of May, 2012, postage fully prepaid, addressed as follows:

Michael J. Tracy
731 East 38th Street
Scottsbluff NE 69361



PHILIP M. KELLY

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	MOTION FOR EXTENSION
TELEMETRIX INC., CONVEY)	OF TIME TO ANSWER OR
COMMUNICATIONS, INC., WILLIAM)	OTHERWISE RESPOND
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND JANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

Comes now Defendants, Telemetrix Inc. ("Telemetrix"), Convey Communications, Inc. ("Convey"), and Gary Brown ("Brown") (collectively, "Defendants"), and pursuant to Neb.Rev.St. § 25-1148 and Neb.Ct.Rules of Pleading and Civil Cases § 6-1106(b) and requests an Order of the Court continuing the deadline for Defendants to answer or otherwise respond in this case. In support thereof, counsel for the Defendants state as follows:

1. This lawsuit involves multiple claims brought by a disgruntled shareholder against numerous entities and out-of-state individuals. Upon information and belief, Defendants Telemetrix and Convey were served by registered mail on April 2, 2012. Service was had upon the companies' registered agent, Mr. Dick Douglas. Also upon information and belief, Brown was served by registered mail approximately a week later.

2. Mr. Douglas passed away on April 12, 2012. As a result, Defendants have needed some additional time to arrange for counsel of their choosing.

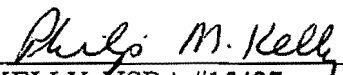
3. Defendants have now procured out-of-state counsel and local counsel in recent days. For a number of reasons, however, Defendants require an extension of time to answer or otherwise respond to Plaintiff's Complaint. Specifically: Defendants' counsel are looking into coverage issues for Defendants, or some of them; the legal and factual issues presented in Plaintiff's Complaint are somewhat complex and require additional time to research in order to

frame proper responsive pleadings; and Defendants' out-of-state counsel must complete *Pro Hac Vice* applications.

4. Defendants believe that an extension of time of thirty (30) days, through and including June 6, 2012, is sufficient to make substantial progress, or complete, those issues identified above. Defendants contend that good cause exists, as a result of the issues above, to grant an extension of time of thirty (30) days in which to answer or otherwise respond to Plaintiff's Complaint.

WHEREFORE, Defendants Telemetrix, Convey, and Brown pray for an order of the Court extending the deadline for pleading or answering for the reasons set forth herein.

TELEMETRIX INC. and CONVEY
COMMUNICATIONS, INC., Defendant



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 7th day of May, 2012, postage fully prepaid, addressed as follows:

Michael J. Tracy
731 East 38th Street
Scottsbluff NE 69361



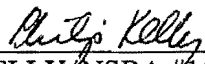
PHILIP M. KELLY

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	NOTICE OF HEARING
TELEMETRIX INC., CONVEY)	
COMMUNICATIONS, INC., WILLIAM)	
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND HANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

YOU ARE HEREBY NOTIFIED that a hearing has been scheduled regarding Defendants, Telemetrix Inc. and Convey Communications, Inc., Motion for Extension of Time to Plead or Answer. Said matter shall be heard before the above Court on the 15 day of May, 2012, at 8:30 .m. by affidavit evidence.

TELEMETRIX INC. and CONVEY
COMMUNICATIONS, INC., Defendant



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

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Michael J. Tracy
731 East 38th Street
Scottsbluff NE 69361



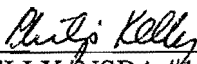
PHILIP M. KELLY

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	NOTICE OF HEARING
TELEMETRIX INC., CONVEY)	
COMMUNICATIONS, INC., WILLIAM)	
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND HANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

YOU ARE HEREBY NOTIFIED that a hearing has been scheduled regarding Defendants, Telemetrix Inc. and Convey Communications, Inc., Motion for Extension of Time to Plead or Answer. Said matter shall be heard before the above Court on the 15 day of May, 2012, at 8:30 .m. by affidavit evidence.

TELEMETRIX INC. and CONVEY
COMMUNICATIONS, INC., Defendant



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 7th day of May, 2012, postage fully prepaid, addressed as follows:

Michael J. Tracy
731 East 38th Street
Scottsbluff NE 69361



PHILIP M. KELLY

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

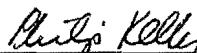
MICHAEL J. TRACY, an individual,)
)
Plaintiff,)
)
vs.)
)
)
)
TELEMETRIX INC., CONVEY)
COMMUNICATIONS, INC., WILLIAM)
W. BECKER, LARRY BECKER, GAYLE)
BECKER, GARY BROWN, BECKER)
CAPITAL MANAGEMENT, LLC.,)
GREEN EAGLE COMMUNICATIONS,)
INC., GREEN EAGLE NETWORKS, INC.,)
JOHN AND HANE DOE(S) 1 THROUGH)
15, JOHN DOE CORPORATIONS 1)
THROUGH 10,)
Defendant.)

Case No. CI 12-239 L

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that a hearing has been scheduled regarding Defendants, Telemetrix Inc. and Convey Communications, Inc., Motion for Extension of Time to Plead or Answer. Said matter shall be heard before the above Court on the 15 day of May, 2012, at 8:30 .m. by affidavit evidence.

TELEMETRIX INC. and CONVEY
COMMUNICATIONS, INC., Defendant



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 7th day of May, 2012, postage fully prepaid, addressed as follows:

Michael J. Tracy
731 East 38th Street
Scottsbluff NE 69361



PHILIP M. KELLY

Case No. CII2-239

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)
)
 Plaintiff,)
)
 vs.)
)
 TELEMETRIX INC., CONVEY)
 COMMUNICATIONS, INC., WILLIAM)
 W. BECKER, LARRY BECKER, GAYLE)
 BECKER, GARY BROWN, BECKER)
 CAPITAL MANAGEMENT, LLC.,)
 GREEN EAGLE COMMUNICATIONS,)
 INC., GREEN EAGLE NETWORKS, INC.,)
 JOHN AND JANE DOE(S) 1 THROUGH 15,)
 JOHN DOE CORPORATIONS 1)
 THROUGH 10)
)
 Defendants.)

PRAECIPE

TO THE CLERK OF SAID COURT:

Please issue Summons in the above-captioned matter, together with a copy of the Complaint for delivery on the Defendants and deliver the same to Michael Tracy for service on William W. Becker by the bailiff of The Clerk of the Court, Judicial Administration, P.O. Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands at the following address:

William W. Becker
 Park Lane
 West Bay Road
 Georgetown
 Grand Cayman Islands

FILED May 10 20 12
Ann Rosenberg
 CLERK OF THE DIST COURT
 BY *Shirley Carter* DEPUTY

Respectfully Submitted,

MICHAEL J. TRACY, Plaintiff

[Signature]
 731 East 38th Street
 Scottsbluff, NE 69361
 Telephone: 308-225-2222



000148670D21

Service of foreign proceedings in the Cayman Islands is dealt with under the provisions of Order 69 of our Grand Court Rules. Although the Cayman Islands is not a signatory to the Hague Convention, certain parts of the Convention have been extended to the Cayman Islands by statutory instruments implemented in England and Wales. It is as a result of this that Order 69 came into being which essentially replicates those provisions, a copy of which we have enclosed for your information.

As we mentioned before, the process involves a request being made from the relevant US Court to our Clerk of the Court, to ask her to arrange for service of the documents. The address for the Clerk of the Court is "The Clerk of the Court, Judicial Administration, P.O. Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands". The request must be accompanied by two copies of the documents to be served. Service will then be effected personally by the Court's bailiff who will leave the documents to be served at the party's last known address. The bailiff will then produce an Affidavit of Service to that effect unless there are special requirements for service.

The following is the link to the Hague Convention website which takes you to the evidence section and provides a sample of a fillable form of request, which may assist as the form of the request seems to vary according to the jurisdiction issuing the request. The importance of this is to ensure the necessary information is in the request to enable the Cayman Court to readily recognise the request being made.

http://www.hcch.net/index_en.php?act=text.display&tid=23

Once you have the letter of request of in hand, we would recommend that you courier this to us, together with the documents to be served rather than send them directly to the Court. By doing so, we are able to track the documents, ensure their proper filing with the Clerk of Court and report to you in a timely manner.

Image ID:
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SUMMONS

Doc. No. 45667

IN THE DISTRICT COURT OF Scotts Bluff COUNTY, NEBRASKA
Scotts Bluff County Courthouse
P.O. Box 47
Gering NE 69341 0047

Michael J Tracy v. Telemetrix Inc

Case ID: CI 12 239

TO: William W Becker

FILED BY
Clerk of the Scotts Bluff District Court
05/10/2012

You have been sued by the following plaintiff(s):

Michael J Tracy

Plaintiff: Michael J Tracy
Address: 731 East 38th Street
Scottsbluff, NE 69361

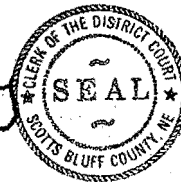
Telephone: (000) 000-0000

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: MAY 10, 2012

BY THE COURT:

Ann Rosenberry
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

William W Becker
Park Lane, West Bay Road
Georgetown, Grand Cayman Islands

BY: Authorized Person
Method of service: Personal Service

You are directed to make such service within twenty days after date of issue, and show proof of service as provided by law.

MD-10-111

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	JOURNAL ENTRY
TELEMETRIX INC., CONVEY)	
COMMUNICATIONS, INC., WILLIAM)	
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND HANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

THIS matter came on for hearing on the Defendants', Telemetrix, Inc., Convey Communications, Inc. and Gary Brown, Motion for Extension of Time to Answer or Otherwise Respond. The Defendants' attorney, Philip Kelly was present. The Plaintiff, Michael Tracy was present.

The Court inquired of the Plaintiff if he had any objection to the Motion for Extension and was advised he did not object.

It is therefore ordered the Defendants' Motion is granted and Defendant shall have until June 11, 2012 to plead or otherwise answer the Plaintiff's Complaint.

IT IS SO ORDERED.

Dated: May 18, 2012



000149145D21

Philip Kelly
District Judge

FILED May 18, 2012
Ann [unclear]
CLERK OF THE DISTRICT COURT

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 15th day of May, 2012, postage fully prepaid, addressed as follows:

Michael J. Tracy
731 East 38th Street
Scottsbluff NE 69361

Paul W. Snyder
Attorney at Law
PO Box 1204
Scottsbluff NE 69363-1204



PHILIP M. KELLY

Case No. CI12-239

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)
)
 Plaintiff)

vs.)

TELEMETRIX INC., CONVEY)
 COMMUNICATIONS, INC., WILLIAM)
 W. BECKER, LARRY BECKER,)
 GAYLE BECKER, GARY BROWN,)
 BECKER CAPITAL MANAGEMENT,)
 LLC, GREEN EAGLE)
 COMMUNICATIONS, INC. GREEN)
 EAGLE NETWORKS, INC., JOHN AND)
 JANE DOE(S) 1 THROUGH 15, JOHN)
 DOE CORPORATIONS 1 THOUGH 10)

**DEFENDANTS LARRY BECKER,
 GAYLE BECKER, AND BECKER
 CAPITAL MANAGEMENT, LLC's
 MOTION TO DISMISS AND GREEN
 EAGLE COMMUNICATIONS, INC.
 AND GREEN EAGLE NETWORKS,
 INC.'S MOTION FOR JUDGMENT ON
 THE PLEADINGS**

Defendants.

Through their attorneys, SMITH, SNYDER, & PETITT, Defendants Larry Becker, Gayle Becker, and Becker Capital Management, LLC ("BCM") hereby move to dismiss the Complaint ("Complaint") of Plaintiff Michael J. Tracy ("Plaintiff") pursuant to Neb. Ct. Pldg. Civ. Actions §6-1112(b)(2) and (6), and Defendants Green Eagle Communications, Inc. ("GEC") and Green Eagle Networks, Inc. ("GEN")¹ move for Judgment on the Pleadings for failure to state a claim upon which relief can be granted pursuant to Neb. Ct. Pldg. Civ. Actions §6-1112(c). As grounds for this Motion, the GE Defendants state as follows.²

1. All claims against Gayle Becker should be dismissed because Plaintiff fails to plead facts establishing that this Court has personal jurisdiction over her.

¹ Larry Becker, Gayle Becker, BCM, GEC, and GEN are collectively referred to herein as the "GE Defendants."

² GEC and GEN move for judgment on the pleadings because they already filed a General Denial in this action, dated May 2, 2012. Pursuant to Neb. Ct. Pldg. Civ. Actions §6-1112(h), a defense for failure to state a claim may be brought by motion for judgment on the pleadings.

1192020.3



000149377D21

FILED

May 23 20 12

Ann Rosenberry

CLERK OF THE DIST COURT

2. Claim One fails to state a claim for fraudulent misrepresentation because Plaintiff does not allege that he relied on any misrepresentations made by the GE Defendants. In addition, Plaintiff fails to plead his fraud claim with particularity as required by Rule 9(b).

3. Claims Two and Three should be dismissed because Plaintiff lacks standing. A shareholder does not have standing to bring an action in his name to recover for wrongs done to the corporation.

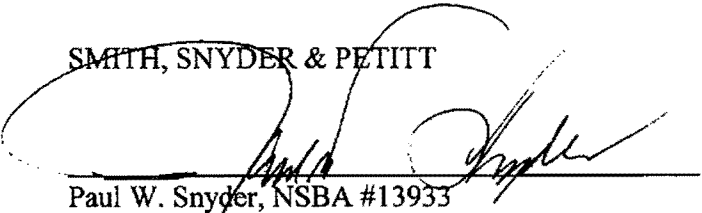
4. To the extent Claim Two alleges a conspiracy to commit fraudulent misrepresentation upon Plaintiff, Claim Two fails to state a claim. A civil conspiracy is not actionable if the plaintiff cannot state a claim as to the alleged underlying misconduct.

5. To the extent Plaintiff seeks to exercise his statutory right as shareholder to inspect the books and records of Telemetrix, Inc. ("Telemetrix"), Claim Four fails to state a claim as to any of the Defendants other than Telemetrix. If Plaintiff intends to plead an action for accounting, he fails to state a claim because he only alleges that Telemetrix, not he, is owed anything by the GE Defendants.

WHEREFORE, Defendants Larry Becker, Gayle Becker, BCM, GEC, and GEN respectfully request that the Court enter an Order dismissing Plaintiff's claims against them and for such other and further relief as the Court deems just and appropriate, and in support thereof file their Notice of Hearing concurrently herewith.

DATED: May 23, 2012

SMITH, SNYDER & PETITT



Paul W. Snyder, NSBA #13933

P.O. Box 1204

Scottsbluff, NE 69363

Phone: (308) 635-3161

Fax: (308) 632-3128

Email: pws@vanlaw.net

*Attorneys For Defendants Larry Becker, Gayle
Becker, Becker Capital Management, LLC, Green
Eagle Communications, Inc. and Green Eagle
Networks, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2012, a true and correct copy of the foregoing **DEFENDANTS LARRY BECKER, GAYLE BECKER, AND BECKER CAPITAL MANAGEMENT, LLC's, MOTION TO DISMISS AND GREEN EAGLE COMMUNICATIONS, INC. AND GREEN EAGLE NETWORKS, INC.'S MOTION FOR JUDGMENT ON THE PLEADINGS** was placed in the United State mail, first class, postage prepaid, and properly addressed to the following persons:

Michael J. Tracy
731 East 38th Street
Scottsbluff, NE 69361

Philip M. Kelley
Douglas, Kelley, Ostdiek and Ossian
105 E. 16th Street – P.O. Box 419
Scottsbluff, NE 69363

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC., WILLIAM W.
BECKER, LARRY BECKER, GAYLE
BECKER, GARY BROWN, BECKER
CAPITAL MANAGEMENT, LLC., GREEN
EAGLE COMMUNICATIONS, INC.,
GREEN EAGLE NETWORKS, INC., JOHN
AND JANE DOE(S) 1 THROUGH 15, JOHN
DOE CORPORATIONS 1 THROUGH 10,

Defendants.

Case No. CI 12-239 (L)

NOTICE OF HEARING

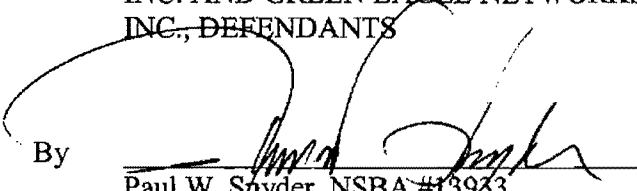
Please take notice that Defendants Larry Becker, Gayle Becker, and Becker Capital Management, LLC's Motion to Dismiss and Green Eagle Communications, Inc. and Green Eagle Networks, Inc.'s Motion for Judgment on the Pleadings will come on to be heard on the 5th day of June, 2012 at the hour of 3:30 o'clock P.M.

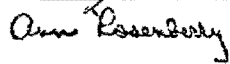


000149378D21

LARRY BECKER, GAYLE BECKER
AND BECKER CAPITAL
MANAGEMENT, LLC, AND
GREEN EAGLE COMMUNICATIONS,
INC. AND GREEN EAGLE NETWORKS,
INC., DEFENDANTS

By


Paul W. Snyder, NSBA #13983
One of their attorneys
SMITH, SNYDER & PETITT
A General Partnership
1904 First Avenue, P.O. Box 1204
Scottsbluff, NE 69363-1204
308/635-3161
308/632-3128 (fax)
pws@vanlaw.net

FILED May 23 20 12

CLERK OF THE DIST COURT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Notice of Hearing was sent on this 23 day of May, 2012, to:

Philip M. Kelly
Douglas, Kelly, Ostdiek & Ossian
105 East 16th Street
PO Box 419
Scottsbluff, NE 69363-0419
fax 308/635-1387
email pkelly@scottsblufflaw.com by:

☐ Hand Delivery
☐ Fax
☒ Regular United States Mail, Postage Prepaid

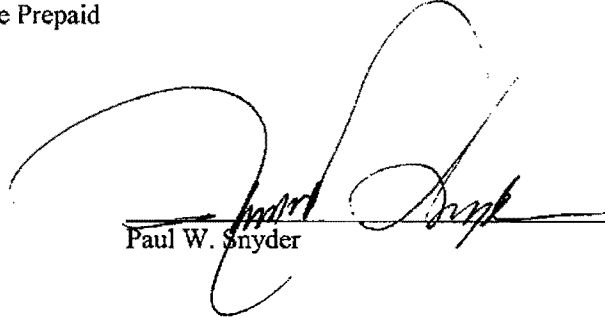
☐ Certified Mail
☐ Electronic Mail

and:

Michael J. Tracy
731 East 38th Street
Scottsbluff, NE 69361 by:

☐ Hand Delivery
☐ Fax
☒ Regular United States Mail, Postage Prepaid

☐ Certified Mail
☐ Electronic Mail


Paul W. Snyder

FILED 10/08/12

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC., WILLIAM W.
BECKER, LARRY BECKER, GAYLE
BECKER, GARY BROWN, BECKER
CAPITAL MANAGEMENT, LLC., GREEN
EAGLE COMMUNICATIONS, INC.,
GREEN EAGLE NETWORKS, INC., JOHN
AND JANE DOE(S) 1 THROUGH 15, JOHN
DOE CORPORATIONS 1 THROUGH 10,

Defendants.

Case No. CI 12-239 (L)

MOTION FOR ADMISSION
PRO HAC VICE

Pursuant to Rule 6 of the Rules of the Supreme Court of Nebraska governing Admission of Attorneys, K. C. Groves and Benjamin J. Larson, Colorado attorneys, and Paul W. Snyder, a Nebraska attorney, hereby move for the admission *pro hac vice* of K. C. Groves and Benjamin J. Larson for practice before this Court with regard to the above-captioned case.

1. K. C. Groves practices law in Colorado and utilizes the following professional contact information:

K. C. Groves
Ireland Stapleton Pryor & Pascoe, PC
1675 Broadway, Suite 2600
Denver, CO 80202
303/628-3642
KCGroves@irelandstapleton.com

2. Benjamin J. Larson practices law in Colorado and utilizes the following professional contact information:

Benjamin J. Larson
Ireland Stapleton Pryor & Pascoe, PC
1675 Broadway, Suite 2600
Denver, CO 80202
303/628-3642
BLarson@irelandstapleton.com

FILED June 4 2012
Ann Rosenberry
CLERK OF THE DIST COURT

BY Antony Cato DEPUTY



000149771D21

3. K.C. Groves and Benjamin J. Larson will be the attorneys for Larry Becker, Gayle Becker, and Becker Capital Management LLC and Green Eagle Communications, Inc. and Green Eagle Networks, Inc. in the above-captioned case.
4. K. C. Groves is licensed to practice law in Colorado with the attorney number 20832.
5. K. C. Groves is an attorney in good standing in the State of Colorado. He is not the subject of any disciplinary proceeding or investigation.
6. K.C. Groves acknowledges that he is subject to the Rules of Professional Conduct, Neb. Ct. R. of Prof. Cond. 3-501.0 upon admission *pro hac vice*.
7. K.C. Groves has associated with and is appearing with Paul W. Snyder, a Nebraska attorney, NSBA #13933, and resident of Nebraska. Service upon Larry Becker, Gayle Becker and Becker Capital Management, LLC, Green Eagle Communications, Inc. and Green Eagle Networks, Inc. and their attorneys may be made on Paul W. Snyder in this matter with the same force and effect as though served on Larry Becker, Gayle Becker and Becker Capital Management, LLC, Green Eagle Communications, Inc. and Green Eagle Networks, Inc. or their attorneys.
8. Benjamin J. Larson is licensed to practice law in Colorado with the attorney number 42540.
9. Benjamin J. Larson is an attorney in good standing in the State of Colorado. He is not the subject of any disciplinary proceeding or investigation.
10. Benjamin J. Larson acknowledges that he is subject to the Rules of Professional Conduct, Neb. Ct. R. of Prof. Cond. 3-501.0 upon admission *pro hac vice*.
11. Benjamin J. Larson has associated with and is appearing with Paul W. Snyder, a Nebraska attorney, NSBA #13933, and resident of Nebraska. Service upon Larry Becker, Gayle Becker and Becker Capital Management, LLC, Green Eagle Communications, Inc. and Green Eagle Networks, Inc. and their attorneys may be made on Paul W. Snyder in this matter with the same force and effect as though served on Larry Becker, Gayle Becker and Becker Capital Management, LLC, Green Eagle Communications, Inc. and Green Eagle Networks, Inc. or their attorneys.
12. As required by Nebraska Court Rule §3-106 both K. C. Groves and Benjamin J. Larson have taken the Oath required by attorneys practicing before the Courts of Nebraska and these Oaths will be filed upon granting of this Motion.

LARRY BECKER, GAYLE BECKER
AND BECKER CAPITAL
MANAGEMENT, LLC, AND
GREEN EAGLE COMMUNICATIONS,
INC. AND GREEN EAGLE NETWORKS,
INC., DEFENDANTS

By: 

Paul W. Snyder, NSBA #13953
One of their attorneys
SMITH, SNYDER & PETITT
A General Partnership
1904 First Avenue
P.O. Box 1204
Scottsbluff, NE 69363-1204
308/635-3161
308/632-3128 (fax)
pws@anlaw.net

By: 

K.C. Groves, CSBA # 20832
One of their attorneys
Ireland Stapleton Pryor & Pascoe, PC
1675 Broadway, Suite 2600
Denver, CO 80202
303/628-3642
KCGroves@irelandstapleton.com

By: 

Benjamin J. Larson, CSBA # 42540
One of their attorneys
Ireland Stapleton Pryor & Pascoe, PC
1675 Broadway, Suite 2600
Denver, CO 80202
303/628-3642
BLarson@irelandstapleton.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Motion for Admission Pro Hac Vice was sent on this 4/7th day of June, 2012, to:

Philip M. Kelly
Douglas, Kelly, Ostdiek & Ossian
105 East 16th Street
PO Box 419
Scottsbluff, NE 69363-0419
fax 308/635-1387
email pkelly@scottsblufflaw.com by:

- ☐ Hand Delivery
☐ Fax
☐ Regular United States Mail, Postage Prepaid

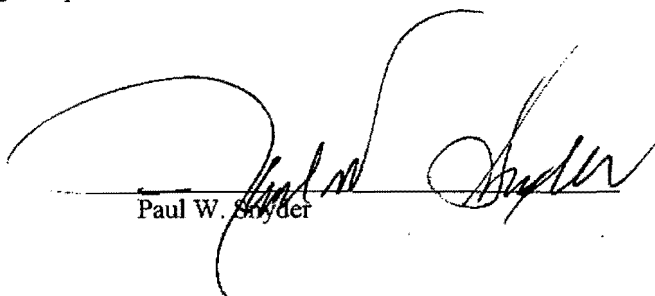
- ☐ Certified Mail
☒ Electronic Mail

and:

James L. Zimmerman
1615 2nd Avenue
PO Box 70
Scottsbluff, NE 69363-0070
Fax 308/630-0932
Email jtz@jtzlaw.com;

- ☐ Hand Delivery
☐ Fax
☐ Regular United States Mail, Postage Prepaid

- ☐ Certified Mail
☒ Electronic Mail


Paul W. Snyder

JUN - 14 2012

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC., WILLIAM W.
BECKER, LARRY BECKER, GAYLE
BECKER, GARY BROWN, BECKER
CAPITAL MANAGEMENT, LLC., GREEN
EAGLE COMMUNICATIONS, INC.,
GREEN EAGLE NETWORKS, INC., JOHN
AND JANE DOE(S) 1 THROUGH 15, JOHN
DOE CORPORATIONS 1 THROUGH 10,

Defendants.

Case No. CI 12-239 (L)

MOTION FOR ADMISSION
PRO HAC VICE

Pursuant to Rule 6 of the Rules of the Supreme Court of Nebraska governing Admission of Attorneys, K. C. Groves and Benjamin J. Larson, Colorado attorneys, and Paul W. Snyder, a Nebraska attorney, hereby move for the admission *pro hac vice* of K. C. Groves and Benjamin J. Larson for practice before this Court with regard to the above-captioned case.

1. K. C. Groves practices law in Colorado and utilizes the following professional contact information:

K. C. Groves
Ireland Stapleton Pryor & Pascoe, PC
1675 Broadway, Suite 2600
Denver, CO 80202
303/628-3642
KCGroves@irelandstapleton.com

2. Benjamin J. Larson practices law in Colorado and utilizes the following professional contact information:

Benjamin J. Larson
Ireland Stapleton Pryor & Pascoe, PC
1675 Broadway, Suite 2600
Denver, CO 80202
303/628-3642
BLarson@irelandstapleton.com

FILED June 4 20 12
Ann Rosenberg
CLERK OF THE DIST COURT

BY *Antonia Castro* DEPUTY



000149772D21

3. K.C. Groves and Benjamin J. Larson will be the attorneys for Larry Becker, Gayle Becker, and Becker Capital Management LLC and Green Eagle Communications, Inc. and Green Eagle Networks, Inc. in the above-captioned case.
4. K. C. Groves is licensed to practice law in Colorado with the attorney number 20832.
5. K. C. Groves is an attorney in good standing in the State of Colorado. He is not the subject of any disciplinary proceeding or investigation.
6. K.C. Groves acknowledges that he is subject to the Rules of Professional Conduct, Neb. Ct. R. of Prof. Cond. 3-501.0 upon admission *pro hac vice*.
7. K.C. Groves has associated with and is appearing with Paul W. Snyder, a Nebraska attorney, NSBA #13933, and resident of Nebraska. Service upon Larry Becker, Gayle Becker and Becker Capital Management, LLC, Green Eagle Communications, Inc. and Green Eagle Networks, Inc. and their attorneys may be made on Paul W. Snyder in this matter with the same force and effect as though served on Larry Becker, Gayle Becker and Becker Capital Management, LLC, Green Eagle Communications, Inc. and Green Eagle Networks, Inc. or their attorneys.
8. Benjamin J. Larson is licensed to practice law in Colorado with the attorney number 42540.
9. Benjamin J. Larson is an attorney in good standing in the State of Colorado. He is not the subject of any disciplinary proceeding or investigation
10. Benjamin J. Larson acknowledges that he is subject to the Rules of Professional Conduct, Neb. Ct. R. of Prof. Cond. 3-501.0 upon admission *pro hac vice*.
11. Benjamin J. Larson has associated with and is appearing with Paul W. Snyder, a Nebraska attorney, NSBA #13933, and resident of Nebraska. Service upon Larry Becker, Gayle Becker and Becker Capital Management, LLC,, Green Eagle Communications, Inc. and Green Eagle Networks, Inc. and their attorneys may be made on Paul W. Snyder in this matter with the same force and effect as though served on Larry Becker, Gayle Becker and Becker Capital Management, LLC, Green Eagle Communications, Inc. and Green Eagle Networks, Inc. or their attorneys.
12. As required by Nebraska Court Rule §3-106 both K. C. Groves and Benjamin J. Larson have taken the Oath required by attorneys practicing before the Courts of Nebraska and these Oaths will be filed upon granting of this Motion.

LARRY BECKER, GAYLE BECKER
AND BECKER CAPITAL
MANAGEMENT, LLC, AND
GREEN EAGLE COMMUNICATIONS,
INC. AND GREEN EAGLE NETWORKS,
INC., DEFENDANTS

By: 

Paul W. Snyder, NSBA #13953
One of their attorneys
SMITH, SNYDER & PETITT
A General Partnership
1904 First Avenue
P.O. Box 1204
Scottsbluff, NE 69363-1204
308/635-3161
308/632-3128 (fax)
pws@snlaw.net

By: 

K.C. Groves, CSBA # 20832
One of their attorneys
Ireland Stapleton Pryor & Pascoe, PC
1675 Broadway, Suite 2600
Denver, CO 80202
303/628-3642
KCGroves@irelandstapleton.com

By: 

Benjamin J. Larson, CSBA # 42540
One of their attorneys
Ireland Stapleton Pryor & Pascoe, PC
1675 Broadway, Suite 2600
Denver, CO 80202
303/628-3642
BLarson@irelandstapleton.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Motion for Admission Pro Hac Vice was sent on this 4th day of June, 2012, to:

Philip M. Kelly
Douglas, Kelly, Ostdiek & Ossian
105 East 16th Street
PO Box 419
Scottsbluff, NE 69363-0419
fax 308/635-1387
email pkelly@scottsblufflaw.com by:

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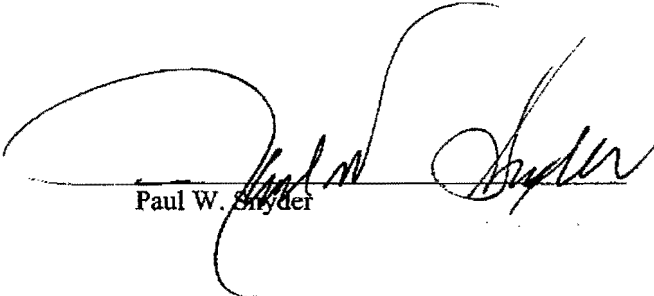
- ☐ Certified Mail
☒ Electronic Mail

and:

James L. Zimmerman
1615 2nd Avenue
PO Box 70
Scottsbluff, NE 69363-0070
Fax 308/630-0932
Email jlz@jlzlaw.com;

- ☐ Hand Delivery
☐ Fax
☐ Regular United States Mail, Postage Prepaid

- ☐ Certified Mail
☒ Electronic Mail


Paul W. Snyder

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

Case No. CI 12-239 (L)

OATH

TELEMETRIX INC., CONVEY
 COMMUNICATIONS, INC., WILLIAM W.
 BECKER, LARRY BECKER, GAYLE
 BECKER, GARY BROWN, BECKER
 CAPITAL MANAGEMENT, LLC., GREEN
 EAGLE COMMUNICATIONS, INC.,
 GREEN EAGLE NETWORKS, INC., JOHN
 AND JANE DOE(S) 1 THROUGH 15, JOHN
 DOE CORPORATIONS 1 THROUGH 10,

Defendants.

The undersigned K. C. Groves, is admitted to and is engaged in the practice of law in the Court of the State of Colorado, and makes the following oath:

I do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Nebraska, and that I will faithfully discharge the duties of an attorney and counselor according to the best of my abilities.

DATED this 31st day of May, 2012.


 K. C. GROVES

STATE OF COLORADO)
) ss.
 COUNTY OF DENVER)


K. C. Groves, being first duly sworn upon oath, deposes and states that he is the person named in the foregoing instrument, and knows that the facts recited therein are accurate and complete to the best of his knowledge and belief.


 K. C. GROVES

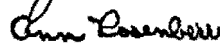
SUBSCRIBED AND SWORN to before me this 31st day of May, 2012, by

K. C. Groves, known to me personally or who has produced satisfactory evidence of identification to me.




 Notary Public

FILED June 4 20 12


 CLERK OF THE DIST COURT

BY Sharon Carter DEPUTY



000149773D21

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

Case No. CI 12-239 (L)

OATH

TELEMETRIX INC., CONVEY
 COMMUNICATIONS, INC., WILLIAM W.
 BECKER, LARRY BECKER, GAYLE
 BECKER, GARY BROWN, BECKER
 CAPITAL MANAGEMENT, LLC., GREEN
 EAGLE COMMUNICATIONS, INC.,
 GREEN EAGLE NETWORKS, INC., JOHN
 AND JANE DOE(S) 1 THROUGH 15, JOHN
 DOE CORPORATIONS 1 THROUGH 10,

Defendants.

The undersigned Benjamin J. Larson, is admitted to and is engaged in the practice of law
 in the Court of the State of Colorado, and makes the following oath:

I do solemnly swear that I will support the Constitution of the United States of America and the
 Constitution of the State of Nebraska, and that I will faithfully discharge the duties of an attorney and
 counselor according to the best of my abilities.

DATED this 31st day of May, 2012.


 BENJAMIN J. LARSON

STATE OF COLORADO)
) ss.
 COUNTY OF Denver)

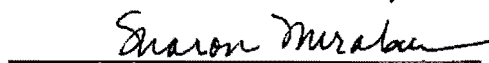
Benjamin J. Larson, being first duly sworn upon oath, deposes and states that he is the person
 named in the foregoing instrument, and knows that the facts recited therein are accurate and complete to
 the best of his knowledge and belief.


 BENJAMIN J. LARSON

SUBSCRIBED AND SWORN to before me this 31st day of May, 2012, by
 Benjamin J. Larson, known to me personally or who has produced satisfactory evidence of identification

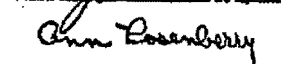


My Commission Expires: 10-1-12


 Notary Public



000149774D21

FILED June 4 20 12

 CLERK OF THE DIST COURT

BY Sharon Caster DEPUTY

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC., WILLIAM W.
BECKER, LARRY BECKER, GAYLE
BECKER, GARY BROWN, BECKER
CAPITAL MANAGEMENT, LLC., GREEN
EAGLE COMMUNICATIONS, INC.,
GREEN EAGLE NETWORKS, INC., JOHN
AND JANE DOE(S) 1 THROUGH 15, JOHN
DOE CORPORATIONS 1 THROUGH 10,

Defendants.

Case No. CI 12-239 (L)

ORDER ADMITTING

The above-captioned matter, having come on before this Court upon Motion to Admit K. C. Groves and Benjamin J. Larson *Pro Hac Vice*, Paul W. Snyder having vouched for the good moral character of K. C. Groves and Benjamin J. Larson, who have taken the Oath required by Neb. Ct. R §3-106, and this Court having considered the Motion, and being duly advised in the premises, it is

ORDERED that the Motion to admit K. C. Groves and Benjamin J. Larson *Pro Hac Vice* is hereby granted and that said attorneys may appear in this case as Counsel for Defendants Larry Becker, Gayle Becker and Becker Capital Management, LLC, and Green Eagle Communications, Inc. and Green Eagle Networks, Inc.

DATED this 4 day of June, 2012.

BY THE COURT:

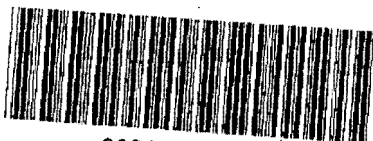

DISTRICT COURT JUDGE

FILED

June 4, 2012

CLERK OF THE DIST COURT

BY Donna Carter DEPUTY



000149775D21

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Order Admitting was sent on this 4th day of June, 2012, to:

Philip M. Kelly
Douglas, Kelly, Ostdiek & Ossian
105 East 16th Street
PO Box 419
Scottsbluff, NE 69363-0419
fax 308/635-1387
email pkelly@scottsblufflaw.com by:

- ☐ Hand Delivery
☐ Fax
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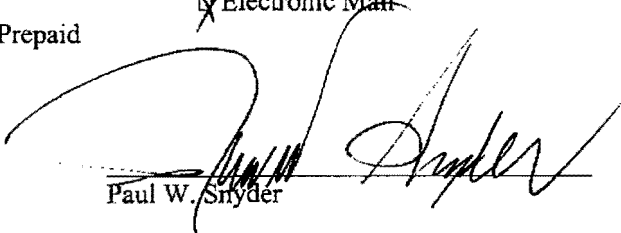
- ☐ Certified Mail
☒ Electronic Mail

and:

James L. Zimmerman
1615 2nd Avenue
PO Box 70
Scottsbluff, NE 69363-0070
Fax 308/630-0932
Email jlz@jlzlaw.com

- ☐ Hand Delivery
☐ Fax
☐ Regular United States Mail, Postage Prepaid

- ☐ Certified Mail
☒ Electronic Mail


Paul W. Snyder

JUN - 5 2012

CASE NO. CI 12-239
IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

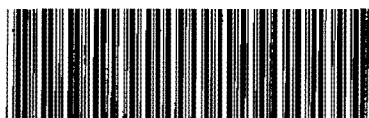
JOURNAL ENTRY

TELEMETRIX INC, CONVEY
COMMUNICATIONS, INC., WILLIAM
W. BECKER, LARRY BECKER, GAYLE
BECKER, GARY BROWN, BECKER
CAPITAL MANAGEMENT, LLC.,
GREEN EAGLE COMMUNICATIONS,
INC., GREEN EAGLE NETWORKS, INC.,
JOHN AND JANE DOE(S) I THROUGH 15,
JOHN DOE CORPORATIONS I
THROUGH 10,

Defendants.

On this 30th day of May, 2012, the oral Motion to Continue hearing set for June 5, 2012 made by James L. Zimmerman, who is entering his appearance on behalf of Plaintiff, Michael J. Tracy, came on for telephonic hearing. Plaintiff appeared by his attorney, James L. Zimmerman. Defendants Larry Becker, Gayle Becker, Becker Capital Management, LLC, Green Eagle Communications, and Green Eagle Networks, Inc. appeared by their attorney Paul W. Snyder.

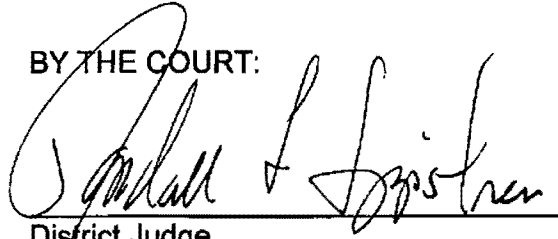
Upon consideration of the records and files herein, discussion with counsel, the Court finds the hearing should be continued and all parties agreed that when attorneys from other states have been admitted pro hoc vice a request to set a hearing will be made by these defendants.



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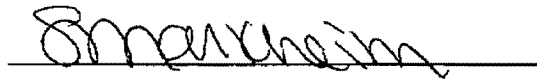
FILED June 5 20 12
Clerk of the District Court
CLERK OF THE DIST COURT

BY THE COURT:


District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing was sent by first class United States mail, postage prepaid, on this 4th day of June, 2012 to: Philip M. Kelly, Attorney at Law, PO Box 419, Scottsbluff, NE 69363-0419 and Paul Snyder, Attorney at Law, PO Box 1204, Scottsbluff, ne 69363-1204



IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239
)	
Plaintiff,)	
)	
v.)	
)	
TELEMETRIX, INC.; CONVEY)	DEFENDANTS TELEMETRIX, INC.,
COMMUNICATIONS, INC.; WILLIAM)	CONVEY COMMUNICATIONS, INC.,
W. BECKER; LARRY BECKER; GAYLE)	AND GARY BROWN'S MOTION TO
BECKER; GARY BROWN; BECKER)	DISMISS
CAPITAL MANAGEMENT, LLC;)	
GREEN EAGLE COMMUNICATIONS,)	
INC.; GREEN EAGLE NETWORKS, INC.;)	
JOHN AND JANE DOE(S) 1 – 15; and)	
JOHN DOE CORPORATIONS 1 – 10,)	
)	
Defendants.)	

Defendants Telemetrix, Inc., Convey Communications, Inc., and Gary Brown (collectively "Telemetrix Defendants"), by and through their attorneys, Douglas, Kelly, Ostdiek and Ossian, hereby move to dismiss the Complaint of Plaintiff Michael J. Tracy ("Plaintiff") pursuant to Neb. Ct. Pldg. Civ. Actions § 6-1112(b)(2) and (6). As grounds for this Motion, the Telemetrix Defendants state as follows:

1. Claim One, "Fraudulent Misrepresentation" alleged against Gary Brown ("Brown"), fails to state a claim for relief because Plaintiff does not allege that he relied on any misrepresentations made by Brown. Further, Plaintiff fails to plead his claim for fraud with the particularity required by Rule 6-1109(b). As to Claim One, Brown joins in those arguments set forth by Larry Becker, Gayle Becker, Becker Capital Management, LLC, Green Eagle Communications, Inc., and Green Eagle Networks, Inc. (collectively "GE Defendants").

2. Claims Two and Three, "Civil Conspiracy – Fraud" and "Breach of Fiduciary Duty", fail to state claims because Plaintiff lacks standing to assert these claims for relief. A shareholder does not have standing to bring an action in his name to recover for wrongs done to the corporation. Further, to the extent that Claim Two relies upon Plaintiff to succeed on his underlying claim of "Fraud", it must fail because Plaintiff's Fraudulent Misrepresentation claim should be dismissed. As to Claims Two and Three, Brown joins in those arguments set forth by the GE Defendants.

3. Claim Four, "Action for Accounting", similarly fails to state a claim. To the extent that Plaintiff seeks to inspect books and records of a corporation pursuant to Neb. Rev. Stat. § 21-20,183(1), he lacks standing to maintain such a claim against either Brown or Convey Communications, Inc. ("Convey") because he is not a shareholder. And as to Telemetrix, Inc. ("Telemetrix"), Plaintiff fails to allege that he has satisfied the conditions precedent set forth in

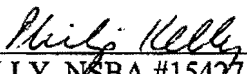
the statute. To the extent that Plaintiff seeks a common law accounting against the Telemetrix Defendants, whether in law or in equity, he fails to allege the necessary elements to state his claim. As to Claim Four, the Telemetrix Defendants join in those arguments set forth by the GE Defendants.

4. Claim Five, "Dissolution of Corporation", fails to state a claim against Convey because Plaintiff, as a non-shareholder, lacks standing under Neb. Rev. Stat. § 21-20,162(2)(a). Plaintiff also fails to plead his claim for Dissolution with the particularity required by Rule 6-1109(b) and it should, therefore, be dismissed.

WHEREFORE, Defendants Telemetrix, Inc., Convey Communications, Inc., and Gary Brown request that this Court enter an Order dismissing Plaintiff's claims against them and for such other and further relief as the Court deems appropriate. Defendants file their Notice of Hearing concurrently herewith.

DATED this 11th day of June, 2012.

TELEMETRIX, INC., CONVEY
COMMUNICATIONS, INC., and
GARY BROWN, Defendants



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 11th day of June, 2012, postage fully prepaid, addressed as follows:

James L. Zimmerman
Attorney at Law
PO Box 700
Scottsbluff NE 69363-0700

Paul W. Snyder
Attorney at Law
P.O. Box 1204
Scottsbluff, NE 69363-1204



PHILIP M. KELLY

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239
)	
Plaintiff,)	
)	
v.)	
)	
TELEMETRIX, INC.; CONVEY)	DEFENDANTS TELEMETRIX, INC.,
COMMUNICATIONS, INC.; WILLIAM)	CONVEY COMMUNICATIONS, INC.,
W. BECKER; LARRY BECKER; GAYLE)	AND GARY BROWN'S MOTION TO
BECKER; GARY BROWN; BECKER)	DISMISS
CAPITAL MANAGEMENT, LLC;)	
GREEN EAGLE COMMUNICATIONS,)	
INC.; GREEN EAGLE NETWORKS, INC.;)	
JOHN AND JANE DOE(S) 1 – 15; and)	
JOHN DOE CORPORATIONS 1 – 10,)	
)	
Defendants.)	

Defendants Telemetrix, Inc., Convey Communications, Inc., and Gary Brown (collectively "Telemetrix Defendants"), by and through their attorneys, Douglas, Kelly, Ostdiek and Ossian, hereby move to dismiss the Complaint of Plaintiff Michael J. Tracy ("Plaintiff") pursuant to Neb. Ct. Pldg. Civ. Actions § 6-1112(b)(2) and (6). As grounds for this Motion, the Telemetrix Defendants state as follows:

1. Claim One, "Fraudulent Misrepresentation" alleged against Gary Brown ("Brown"), fails to state a claim for relief because Plaintiff does not allege that he relied on any misrepresentations made by Brown. Further, Plaintiff fails to plead his claim for fraud with the particularity required by Rule 6-1109(b). As to Claim One, Brown joins in those arguments set forth by Larry Becker, Gayle Becker, Becker Capital Management, LLC, Green Eagle Communications, Inc., and Green Eagle Networks, Inc. (collectively "GE Defendants").

2. Claims Two and Three, "Civil Conspiracy – Fraud" and "Breach of Fiduciary Duty", fail to state claims because Plaintiff lacks standing to assert these claims for relief. A shareholder does not have standing to bring an action in his name to recover for wrongs done to the corporation. Further, to the extent that Claim Two relies upon Plaintiff to succeed on his underlying claim of "Fraud", it must fail because Plaintiff's Fraudulent Misrepresentation claim should be dismissed. As to Claims Two and Three, Brown joins in those arguments set forth by the GE Defendants.

3. Claim Four, "Action for Accounting", similarly fails to state a claim. To the extent that Plaintiff seeks to inspect books and records of a corporation pursuant to Neb. Rev. Stat. § 21-20,183(1), he lacks standing to maintain such a claim against either Brown or Convey Communications, Inc. ("Convey") because he is not a shareholder. And as to Telemetrix, Inc. ("Telemetrix"), Plaintiff fails to allege that he has satisfied the conditions precedent set forth in

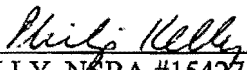
the statute. To the extent that Plaintiff seeks a common law accounting against the Telemetrix Defendants, whether in law or in equity, he fails to allege the necessary elements to state his claim. As to Claim Four, the Telemetrix Defendants join in those arguments set forth by the GE Defendants.

4. Claim Five, "Dissolution of Corporation", fails to state a claim against Convey because Plaintiff, as a non-shareholder, lacks standing under Neb. Rev. Stat. § 21-20,162(2)(a). Plaintiff also fails to plead his claim for Dissolution with the particularity required by Rule 6-1109(b) and it should, therefore, be dismissed.

WHEREFORE, Defendants Telemetrix, Inc., Convey Communications, Inc., and Gary Brown request that this Court enter an Order dismissing Plaintiff's claims against them and for such other and further relief as the Court deems appropriate. Defendants file their Notice of Hearing concurrently herewith.

DATED this 11th day of June, 2012.

TELEMETRIX, INC., CONVEY
COMMUNICATIONS, INC., and
GARY BROWN, Defendants



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 11th day of June, 2012, postage fully prepaid, addressed as follows:

James L. Zimmerman
Attorney at Law
PO Box 700
Scottsbluff NE 69363-0700

Paul W. Snyder
Attorney at Law
P.O. Box 1204
Scottsbluff, NE 69363-1204



PHILIP M. KELLY

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239
)	
Plaintiff,)	
)	
v.)	
)	
TELEMETRIX, INC.; CONVEY)	DEFENDANTS TELEMETRIX, INC.,
COMMUNICATIONS, INC.; WILLIAM)	CONVEY COMMUNICATIONS, INC.,
W. BECKER; LARRY BECKER; GAYLE)	AND GARY BROWN'S MOTION TO
BECKER; GARY BROWN; BECKER)	DISMISS
CAPITAL MANAGEMENT, LLC;)	
GREEN EAGLE COMMUNICATIONS,)	
INC.; GREEN EAGLE NETWORKS, INC.;)	
JOHN AND JANE DOE(S) 1 – 15; and)	
JOHN DOE CORPORATIONS 1 – 10,)	
)	
Defendants.)	

Defendants Telemetrix, Inc., Convey Communications, Inc., and Gary Brown (collectively "Telemetrix Defendants"), by and through their attorneys, Douglas, Kelly, Ost diek and Ossian, hereby move to dismiss the Complaint of Plaintiff Michael J. Tracy ("Plaintiff") pursuant to Neb. Ct. Pldg. Civ. Actions § 6-1112(b)(2) and (6). As grounds for this Motion, the Telemetrix Defendants state as follows:

1. Claim One, "Fraudulent Misrepresentation" alleged against Gary Brown ("Brown"), fails to state a claim for relief because Plaintiff does not allege that he relied on any misrepresentations made by Brown. Further, Plaintiff fails to plead his claim for fraud with the particularity required by Rule 6-1109(b). As to Claim One, Brown joins in those arguments set forth by Larry Becker, Gayle Becker, Becker Capital Management, LLC, Green Eagle Communications, Inc., and Green Eagle Networks, Inc. (collectively "GE Defendants").

2. Claims Two and Three, "Civil Conspiracy – Fraud" and "Breach of Fiduciary Duty", fail to state claims because Plaintiff lacks standing to assert these claims for relief. A shareholder does not have standing to bring an action in his name to recover for wrongs done to the corporation. Further, to the extent that Claim Two relies upon Plaintiff to succeed on his underlying claim of "Fraud", it must fail because Plaintiff's Fraudulent Misrepresentation claim should be dismissed. As to Claims Two and Three, Brown joins in those arguments set forth by the GE Defendants.

3. Claim Four, "Action for Accounting", similarly fails to state a claim. To the extent that Plaintiff seeks to inspect books and records of a corporation pursuant to Neb. Rev. Stat. § 21-20,183(1), he lacks standing to maintain such a claim against either Brown or Convey Communications, Inc. ("Convey") because he is not a shareholder. And as to Telemetrix, Inc. ("Telemetrix"), Plaintiff fails to allege that he has satisfied the conditions precedent set forth in

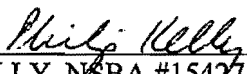
the statute. To the extent that Plaintiff seeks a common law accounting against the Telemetrix Defendants, whether in law or in equity, he fails to allege the necessary elements to state his claim. As to Claim Four, the Telemetrix Defendants join in those arguments set forth by the GE Defendants.

4. Claim Five, "Dissolution of Corporation", fails to state a claim against Convey because Plaintiff, as a non-shareholder, lacks standing under Neb. Rev. Stat. § 21-20,162(2)(a). Plaintiff also fails to plead his claim for Dissolution with the particularity required by Rule 6-1109(b) and it should, therefore, be dismissed.

WHEREFORE, Defendants Telemetrix, Inc., Convey Communications, Inc., and Gary Brown request that this Court enter an Order dismissing Plaintiff's claims against them and for such other and further relief as the Court deems appropriate. Defendants file their Notice of Hearing concurrently herewith.

DATED this 11th day of June, 2012.

TELEMETRIX, INC., CONVEY
COMMUNICATIONS, INC., and
GARY BROWN, Defendants



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 11th day of June, 2012, postage fully prepaid, addressed as follows:

James L. Zimmerman
Attorney at Law
PO Box 700
Scottsbluff NE 69363-0700

Paul W. Snyder
Attorney at Law
P.O. Box 1204
Scottsbluff, NE 69363-1204



PHILIP M. KELLY

Image ID:
D00046174D21

SUMMONS

Doc. No. 46174

IN THE DISTRICT COURT OF Scotts Bluff COUNTY, NEBRASKA
Scotts Bluff County Courthouse
P.O. Box 47
Gering NE 69341 0047

Michael J Tracy v. Telemetrix Inc

Case ID: CI 12 239

TO: William W Becker

FILED BY
Clerk of the Scotts Bluff District Court
06/20/2012

You have been sued by the following plaintiff(s):

Michael J Tracy

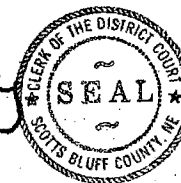
Plaintiff's Attorney: James L Zimmerman
Address: 1615 Second Avenue
P.O. Box 700
Scottsbluff, NE 69363-0700
Telephone: (308) 630-0909

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: JUNE 20, 2012

BY THE COURT:

Ann Rosenberry
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

William W Becker
2159 West Bay Road
Grand Cayman Islands
George Town, BH

BY: Foreign Officer
Method of service: Personal Service
Special Instructions:
Clerk of Court Bailiff, Judicial Administration, PO Box 495, George Town,
Grand Cayman Islands KY1-1106: Serve copy of the Complaint for
Delivery upon the Defendants

You are directed to make such service within twenty days after date of issue, and show proof of service as provided by law.

Case No. CI12-239

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)
)
Plaintiff,)
)
vs.)
)
TELEMETRIX INC., CONVEY)
COMMUNICATIONS, INC., WILLIAM)
W. BECKER, LARRY BECKER, GAYLE)
BECKER, GARY BROWN, BECKER)
CAPITAL MANAGEMENT, LLC.,)
GREEN EAGLE COMMUNICATIONS,)
INC., GREEN EAGLE NETWORKS, INC.,)
JOHN AND JANE DOE(S) 1 THROUGH 15,)
JOHN DOE CORPORATIONS 1)
THROUGH 10)
)
Defendants.)

**PRAECIPE FOR
ALIAS SUMMONS**

TO THE CLERK OF SAID COURT:

Please issue Alias Summons in the above-captioned matter, together with a copy of the Complaint for delivery on the Defendants and deliver the same to Michael Tracy for service on William W. Becker by the bailiff of The Clerk of the Court, Judicial Administration, P.O. Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands at the following address:

William W. Becker
2159 West Bay Road
Georgetown
Grand Cayman Islands



000150706D21

FILED *June 20 2012*
Chris P. [Signature]
CLERK OF THE DIST COURT

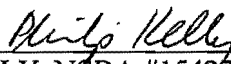
Respectfully Submitted,
MICHAEL J. TRACY, Plaintiff
[Signature]
731 East 38th Street
Scottsbluff, NE 69361
Telephone: 308-225-2222

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	NOTICE OF HEARING
TELEMETRIX INC., CONVEY)	
COMMUNICATIONS, INC., WILLIAM)	
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND HANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

YOU ARE HEREBY NOTIFIED that a hearing has been scheduled regarding Defendants, Telemetrix Inc., Convey Communications, Inc. and Gary Brown's, Motion to Dismiss. Said matter shall be heard before the above Court on the 3rd day of August, 2012, at 11:00 a.m. by affidavit evidence.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC. and
GARY BROWN, Defendant



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

CERTIFICATE OF MAILING/SERVICE

I do hereby certify that a copy of the foregoing was hand-delivered, faxed, emailed and/or deposited in the United States mail at Scottsbluff, Nebraska on the 2nd day of June, 2012, postage fully prepaid, addressed as follows:

James L. Zimmerman
Attorney at Law
PO Box 700
Scottsbluff NE 69363-0700

Paul W. Snyder
Attorney at Law
P.O. Box 1204
Scottsbluff, NE 69363-1204

K.C. Groves
Benjamin J. Larson
Attorneys at Law
1675 Broadway, Suite 2600
Denver CO 80202



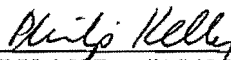
PHILIP M. KELLY

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	NOTICE OF HEARING
TELEMETRIX INC., CONVEY)	
COMMUNICATIONS, INC., WILLIAM)	
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND HANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

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TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC. and
GARY BROWN, Defendant



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
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1675 Broadway, Suite 2600
Denver CO 80202



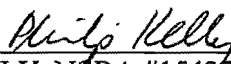
PHILIP M. KELLY

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	NOTICE OF HEARING
TELEMETRIX INC., CONVEY)	
COMMUNICATIONS, INC., WILLIAM)	
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND HANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

YOU ARE HEREBY NOTIFIED that a hearing has been scheduled regarding Defendants, Telemetrix Inc., Convey Communications, Inc. and Gary Brown's, Motion to Dismiss. Said matter shall be heard before the above Court on the 3rd day of August, 2012, at 11:00 a.m. by affidavit evidence.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC. and
GARY BROWN, Defendant



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

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Attorney at Law
PO Box 700
Scottsbluff NE 69363-0700

Paul W. Snyder
Attorney at Law
P.O. Box 1204
Scottsbluff, NE 69363-1204

K.C. Groves
Benjamin J. Larson
Attorneys at Law
1675 Broadway, Suite 2600
Denver CO 80202



PHILIP M. KELLY

JUN 22 2012

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC., WILLIAM W.
BECKER, LARRY BECKER, GAYLE
BECKER, GARY BROWN, BECKER
CAPITAL MANAGEMENT, LLC., GREEN
EAGLE COMMUNICATIONS, INC.,
GREEN EAGLE NETWORKS, INC., JOHN
AND JANE DOE(S) 1 THROUGH 15, JOHN
DOE CORPORATIONS 1 THROUGH 10,

Defendants.

Case No. CI 12-239 (L)

NOTICE OF HEARING

You are hereby notified that the Defendants', Larry Becker, Gayle Becker and Becker Capital Management, LLC's, Motion to Dismiss, and the Defendants', Green Eagle Communications, Inc. and Green Eagle Networks, Inc., Motion for Judgment on the Pleadings, will be heard in open Court on the 3rd day of August, 2012, at the hour of 11:00 o'clock A.M. at the District Courtroom in the Scotts Bluff County Courthouse in Gering, Nebraska before the Honorable Randall R. Lippstreu.

LARRY BECKER, GAYLE BECKER
AND BECKER CAPITAL
MANAGEMENT, LLC, AND
GREEN EAGLE COMMUNICATIONS,
INC. AND GREEN EAGLE NETWORKS,
INC., DEFENDANTS

By

Paul W. Snyder, NSBA #13933

One of their attorneys

SMITH, SNYDER & PETITT

A General Partnership

1904 First Avenue, P.O. Box 1204

Scottsbluff, NE 69363-1204

308/635-3161

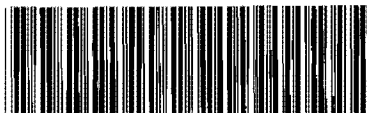
308/632-3128 (fax)

pws@vanlaw.net

FILED *June 22 2012*

Ann Rosenberry
CLERK OF THE DIST COURT

BY *Scotts Bluff County* DEPUTY



000150761D21

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Notice of Hearing was sent on this 21 day of June, 2012, to:

Philip M. Kelly
Douglas, Kelly, Ostdiek & Ossian
105 East 16th Street
PO Box 419
Scottsbluff, NE 69363-0419
Fax 308/635-1387
Email pkelly@scottsblufflaw.com, by:

☐ Hand Delivery
☐ Fax
☐ Regular United States Mail, Postage Prepaid

☐ Certified Mail
☒ Electronic Mail

and:

James L. Zimmerman
1615 2nd Avenue
PO Box 70
Scottsbluff, NE 69363-0070
Fax 308/630-0932
Email jlz@jlzlaw.com, by:

☐ Hand Delivery
☐ Fax
☐ Regular United States Mail, Postage Prepaid

☐ Certified Mail
☒ Electronic Mail



Paul W. Snyder

JUL 2 9 2012

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)
)
 Plaintiff,)

Case No. CI 12-239 L

vs.)

**MOTION FOR ADMISSION
 PRO HAC VICE**

TELEMETRIX INC., CONVEY)
 COMMUNICATIONS, INC., WILLIAM)
 W. BECKER, LARRY BECKER, GAYLE)
 BECKER, GARY BROWN, BECKER)
 CAPITAL MANAGEMENT, LLC.,)
 GREEN EAGLE COMMUNICATIONS,)
 INC., GREEN EAGLE NETWORKS, INC.,)
 JOHN AND HANE DOE(S) 1 THROUGH)
 15, JOHN DOE CORPORATIONS 1)
 THROUGH 10,)
 Defendant.)

Pursuant to Rule 3-106 of the Nebraska Rules of the Supreme Court, Defendants Telemetrix Inc., Convey Communications, Inc., and Gary Brown, and attorney Philip M. Kelly, member of the Nebraska State Bar Association, in good standing, move the Court for an order admitting Daniel K. Calisher and Brian C. Proffitt, members of the firm of Foster, Graham, Milstein & Calisher, LLP, *pro hac vice* in this case. In support of this motion, the movant states as follows:

1. Daniel K. Calisher and Brian C. Proffitt have expertise regarding the legal issues raised in this case and they are of good moral character.
2. Daniel K. Calisher and Brian C. Proffitt will be representing Telemetrix Inc., Convey Communications, Inc., and Gary Brown.
3. Daniel K. Calisher is licensed to practice in the State of Colorado, bar number 28196. [REDACTED]
4. Brian C. Proffitt is licensed to practice in the State of Colorado, bar number 31101.
5. Daniel K. Calisher and Brian C. Proffitt are in good standing and eligible to practice law in the above listed jurisdictions and neither is subject to any disciplinary action or investigation.



000150964D21

FILED *June 26, 2012*
Ann Rosenberg
 CLERK OF THE DIST COURT

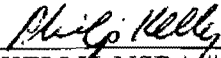
BY *Shirley Canto* DEPUTY

6. Both applicants acknowledge they will be subject to the rules of professional conduct, Nebraska Court Rules of Professional Conduct § 3-501.023-508.5 upon admission *pro hac vice*.

7. Daniel K. Calisher and Brian C. Proffitt are associating with Philip M. Kelly and the law firm of Douglas, Kelly, Ostdiek and Ossian, who are residents of Nebraska and are duly and regularly admitted to practice in the Courts of the State of Nebraska, and upon whom service may be made in all matters connected with this action.

WHEREFORE, Defendants, Telemetrix Inc., Convey Communications, Inc., and Gary Brown, and attorney Philip M. Kelly, respectfully request that Daniel K. Calisher and Brian C. Proffitt be admitted to this Court *pro hac vice* for the purposes of the above captioned matter. An Order to this effect is submitted herewith.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC., and GARY BROWN
Defendants



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
a professional corporation
Attorneys at Law
105 East 16th Street - P.O. Box 419
Scottsbluff, Nebraska 69363-0419
Telephone: 308/632-7191
Facsimile: 308/635-1387

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James L. Zimmerman
Attorney at Law
PO Box 700
Scottsbluff NE 69363-0700

Paul W. Snyder
Attorney at Law
P.O. Box 1204
Scottsbluff, NE 69363-1204

K.C. Groves
Benjamin J. Larson
Attorneys at Law
1675 Broadway, Suite 2600
Denver CO 80202



PHILIP M. KELLY

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239 L
)	
Plaintiff,)	
)	
vs.)	
)	OATH
TELEMETRIX INC., CONVEY)	
COMMUNICATIONS, INC., WILLIAM)	
W. BECKER, LARRY BECKER, GAYLE)	
BECKER, GARY BROWN, BECKER)	
CAPITAL MANAGEMENT, LLC.,)	
GREEN EAGLE COMMUNICATIONS,)	
INC., GREEN EAGLE NETWORKS, INC.,)	
JOHN AND HANE DOE(S) 1 THROUGH)	
15, JOHN DOE CORPORATIONS 1)	
THROUGH 10,)	
Defendant.)	

I, Daniel K. Calisher, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and I will faithfully discharge the duties of an attorney and counselor, according to the best of my ability.

Daniel K. Calisher

Daniel K. Calisher
Foster, Graham, Milstein & Calisher, LLP
360 South Garfield Street, 6th Floor
Denver CO 80209



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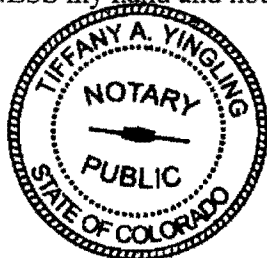
FILED *June 26 2012*
Ann Rosenberry
CLERK OF THE DIST COURT

BY *Daniel K. Calisher* DEPUTY

STATE OF COLORADO, COUNTY OF DENVER SS:

ON THIS 15th day of June, 2012, before me a notary public duly qualified in and for said county and state, personally appeared Dan Calisher, known to me to be the identical person whose name is affixed hereto, and acknowledged the same to be his/her voluntary act and deed.

WITNESS my hand and notarial seal on the day and year last written above.



Tiffany A. Yingling
Notary Public

My Commission
Expires: 12/06/2013

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

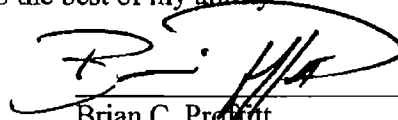
TELEMETRIX INC., CONVEY
 COMMUNICATIONS, INC., WILLIAM
 W. BECKER, LARRY BECKER, GAYLE
 BECKER, GARY BROWN, BECKER
 CAPITAL MANAGEMENT, LLC.,
 GREEN EAGLE COMMUNICATIONS,
 INC., GREEN EAGLE NETWORKS, INC.,
 JOHN AND HANE DOE(S) 1 THROUGH
 15, JOHN DOE CORPORATIONS 1
 THROUGH 10,

Defendant.

Case No. CI 12-239 L

OATH

I, Brian C. Proffitt, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and I will faithfully discharge the duties of an attorney and counselor, according to the best of my ability



Brian C. Proffitt

Foster, Graham, Milstein & Calisher, LLP
 360 South Garfield Street, 6th Floor
 Denver CO 80209



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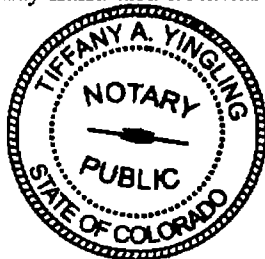
FILED June 26, 2012
Ann Rosenberry
 CLERK OF THE DIST COURT

BY *Antonia Costa* DEPUTY

STATE OF COLORADO, COUNTY OF DENVER SS:

ON THIS 14th day of June, 2012, before me a notary public duly qualified in and for said county and state, personally appeared Brian C. Proffitt, known to me to be the identical person whose name is affixed hereto, and acknowledged the same to be his/her voluntary act and deed.

WITNESS my hand and notarial seal on the day and year last written above.



Tiffany A. Yingling
 Notary Public

My Commission
 Expires: 12/06/2013

IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

TELEMETRIX INC., CONVEY
 COMMUNICATIONS, INC., WILLIAM
 W. BECKER, LARRY BECKER, GAYLE
 BECKER, GARY BROWN, BECKER
 CAPITAL MANAGEMENT, LLC.,
 GREEN EAGLE COMMUNICATIONS,
 INC., GREEN EAGLE NETWORKS, INC.,
 JOHN AND HANE DOE(S) 1 THROUGH
 15, JOHN DOE CORPORATIONS 1
 THROUGH 10,

Defendant.

Case No. CI 12-239 L

ORDER APPROVING
 MOTION FOR ADMISSION
PRO HAC VICE

NOW ON THIS 26 day of June 2012, this matter came on for hearing upon the Motion Pro Hac Vice filed by Philip M. Kelly, attorney at law, duly authorized and licensed in the State of Nebraska, who advised this Court that Daniel K. Calisher and Brian C. Proffitt are lawyers of good moral character who are admitted to and engaged in the practice of law in the courts of record in the State of Colorado. Accompanying the Motion Pro Hac Vice are Oaths signed by Daniel K. Calisher and Brian C. Proffitt. The Court further finds that Daniel K. Calisher and Brian C. Proffitt have professional business in the courts of the State of Nebraska in the representation of Telemetrix Inc., Convey Communications, Inc., and Gary Brown, Defendants herein.

The Court being advised in the premises finds that Motion Pro Hac Vice is hereby granted and that Daniel K. Calisher and Brian C. Proffitt are hereby admitted to practice in the courts of record in the State of Nebraska in connection with this action. It is further ordered by this Court that Daniel K. Calisher and Brian C. Proffitt are directed to appear with Philip M. Kelly, a resident of the State of Nebraska, duly and regularly admitted to the practice of law in the courts of record in the State of Nebraska.

IT IS SO ORDERED.



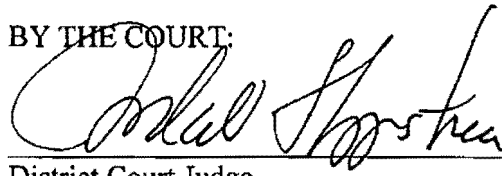
000150967D21

FILED June 26, 2012
Ann Rosenberg
 CLERK OF THE DIST COURT

BY Dante Castro DEPUTY

DATED: 6-26-12

BY THE COURT:

A handwritten signature in black ink, appearing to read "Michael S. ...", is written over a horizontal line.

District Court Judge

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)
)
Plaintiff,)
)
v.)
)
TELEMETRIX, INC.; CONVEY)
COMMUNICATIONS, INC.; WILLIAM)
W. BECKER; LARRY BECKER; GAYLE)
BECKER; GARY BROWN; BECKER)
CAPITAL MANAGEMENT, LLC;)
GREEN EAGLE COMMUNICATIONS,)
INC.; GREEN EAGLE NETWORKS, INC.;)
JOHN AND JANE DOE(S) 1 – 15; and)
JOHN DOE CORPORATIONS 1 – 10,)
)
Defendants.)

Case No. CI 12-239

CERTIFICATE OF SERVICE

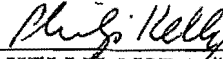
The undersigned hereby certifies that on the 27th day of June, 2012 a copy of the Order Approving Motion for Admission *Pro Hac Vice* was deposited in the United States mail at Scottsbluff, Nebraska, postage fully prepaid, addressed to the following individuals and entities:

K.C. Groves
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1675 Broadway, Suite 2600
Denver CO 80202

James L. Zimmerman
Attorney at Law
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Paul W. Snyder
Attorney at Law
P.O. Box 1204
Scottsbluff, NE 69363-1204

TELEMETRIX, INC., CONVEY
COMMUNICATIONS, INC., and
GARY BROWN, Defendants



PHILIP M. KELLY, NSBA #15427
DOUGLAS, KELLY, OSTDIEK and OSSIAN
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Attorneys at Law
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Facsimile: 308/635-1387

Filed in Scotts Bluff District Court

*** EFILED ***

Case Number: D21C1120000239

Transaction ID: 0000350420

Filing Date: 06/27/2012 02:26:54 PM MDT

IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)	Case No. CI 12-239
)	
Plaintiff,)	
)	
v.)	
)	
TELEMETRIX, INC.; CONVEY)	CERTIFICATE OF SERVICE
COMMUNICATIONS, INC.; WILLIAM)	
W. BECKER; LARRY BECKER; GAYLE)	
BECKER; GARY BROWN; BECKER)	
CAPITAL MANAGEMENT, LLC;)	
GREEN EAGLE COMMUNICATIONS,)	
INC.; GREEN EAGLE NETWORKS, INC.;)	
JOHN AND JANE DOE(S) 1 – 15; and)	
JOHN DOE CORPORATIONS 1 – 10,)	
)	
Defendants.)	

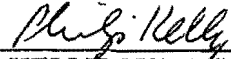
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COMMUNICATIONS, INC., and
GARY BROWN, Defendants



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IN THE DISTRICT COURT FOR SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,)
)
Plaintiff,)

Case No. CI 12-239

v.)

TELEMETRIX, INC.; CONVEY)
COMMUNICATIONS, INC.; WILLIAM)
W. BECKER; LARRY BECKER; GAYLE)
BECKER; GARY BROWN; BECKER)
CAPITAL MANAGEMENT, LLC;)
GREEN EAGLE COMMUNICATIONS,)
INC.; GREEN EAGLE NETWORKS, INC.;)
JOHN AND JANE DOE(S) 1 – 15; and)
JOHN DOE CORPORATIONS 1 – 10,)
)
Defendants.)

CERTIFICATE OF SERVICE

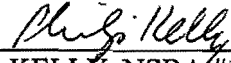
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TELEMETRIX, INC., CONVEY
COMMUNICATIONS, INC., and
GARY BROWN, Defendants



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IN THE DISTRICT COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

MICHAEL J. TRACY, an individual,

Plaintiff,

vs.

TELEMETRIX INC., CONVEY
COMMUNICATIONS, INC., WILLIAM W.
BECKER, LARRY BECKER, GAYLE
BECKER, GARY BROWN, BECKER
CAPITAL MANAGEMENT, LLC., GREEN
EAGLE COMMUNICATIONS, INC.,
GREEN EAGLE NETWORKS, INC., JOHN
AND JANE DOE(S) 1 THROUGH 15, JOHN
DOE CORPORATIONS 1 THROUGH 10,

Defendants.

Case No. CI 12-239 (L)

JOURNAL ENTRY

On this 3rd day of August, 2012 the Motion for Judgment on the Pleadings and the Motion to Dismiss filed by the Defendants Larry Becker, Gayle Becker, Becker Capital Management, LLC, Green Eagle Communications, Inc. and Green Eagle Networks, Inc. together with Defendants Telemetrix Inc., Convey Communications, Inc. and Gary Brown Motion to Dismiss all came on to be heard. Plaintiff was present and represented by his attorney, James L. Zimmerman. Defendants Larry Becker, Gayle Becker, Becker Capital Management, LLC., Green Eagle Communications Inc. and Green Eagle Networks, Inc. were represented by their attorneys Paul W. Snyder and K. C. Groves. Defendants Telemetrix Inc, Convey Communications, Inc. and Gary Brown were represented by their attorney Philip M. Kelly and Brian C. Proffitt.

Arguments were presented to the Court by the attorneys for all parties represented.

Plaintiff is given until September 4, 2012 to supply the Court with a written brief replying to the trial briefs submitted by the Defendants present for the hearing. Defendants are given until September 18, 2012 to file responsive briefs. At that time the matter will be taken under advisement.



000152967D21

FILED *Aug 7 2012*
Ann Rosenberg
CLERK OF THE DIST COURT
BY *Antonia Canto* DEPUTY

IT IS SO ORDERED.

DATED this 6 day of August, 2012.

BY THE COURT


DISTRICT JUDGE

Prepared by:
Paul W. Snyder, NSBA #13933
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308/632-3128 (fax)
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Journal Entry was sent on this 6th day of August, 2012, to:

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Paul W. Snyder